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THE
WORKS
OF
SIR WILLIAM JONES.

IN SIX VOLUMES.

VOL. VI.

LONDON:
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HITO'PADE'SA.



HITÓPADÉSA

OF

VISHNUSARMAN.

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B

" We are told by the *Grecian* writers, that the *Indians* were the wisest of nations; and in
" moral wisdom, they were certainly eminent: their *Niti Sástra*, or *System of Ethics*, is yet
" preserved; and the Fables of *Viṣṇuśarma*, whom we ridiculously call *Pilpay*, are the most
" beautiful, if not the most ancient, collection of apologues in the world: they were first
" translated from the *Sanscrit*, in the *sixth* century, by the order of *Bužerchumibr*, or *Bright*
" *as the Sun*, the chief physician and afterwards *Vezír* of the great *Anúsbirevân*, and are ex-
" tant under various names in more than twenty languages; but their original title is *Hitô-*
" *padésa*, or *Amicable Instruction*: and, as the very existence of *Esop*, whom the *Arabs* believe
" to have been an *Abyssinian*, appears rather doubtful, I am not disinclined to suppose, that
" the first *moral fables*, which appeared in *Europe*, were of *Indian* or *Ethiopian* origin."—See
Vol. I. p. 32.

HITÓPADÉSA*.

THE

INTRODUCTION.

Praise to GA'NESA'.

MAY success attend the actions of good men, by the favour of that mighty God, on whose head a portion of the moon appears written with the froth of the Gangà !

This *amicable instruction*, exquisitely wrought in *Sanscrit* phrases, exhibits continually, when heard, a prodigy of wisdom and the true knowledge of morals.

* *Hitopadéśa* is compounded of *hita* and *upadéśa*. *Hita* signifies *fortune, prosperity, utility*; and *dear, or beloved*: the compound may therefore mean (since *upadéśa* is *advice*) either *salutary, or amicable, instruction*. The *Pandits* say, the word has those two meanings.

بيد *bīdpai* is the proper word, but has been mistaken for پيل *pīlpai*, by some ignorant copyist. In *Persian* the word *bīdpai* means *willow-footed*, which is nonsense, and *pīlpai*, *elephant-footed*, which is not much better; but *Cāsbafī* says that, in *Sanscrit*, the word signifies *beloved, or favourite physician*; and that is certainly the meaning of *baidya-priya*, from which *bīdpai* is formed; the author having been, it is supposed, of the *baidya*, or *medical tribe*, and a *favourite* of his *Rájá*.

The

The learned man may fix his thoughts on science and wealth, as if he were never to grow old or to die; but when death seizes him by the locks, he must then practise virtue.

Knowledge produces mildness of speech; mildness a good character; a good character wealth; wealth, if virtuous actions attend it, happiness.

Among all possessions knowledge appears eminent; the wise call it supreme riches; because it can never be lost, has no price, and can at no time be destroyed.

Knowledge acquired by a man of low degree places him on a level with a prince, as a small river attains the irremovable ocean; and his fortune is then exalted.

The science of arms, and the science of books, are both causes of celebrity; but the first is ridiculous in an old man, and the second is in all ages respectable.

As a fresh earthen vessel is formed by the potter, and (education is nothing else) thus we may say are children formed here below to morality.

The *acquisition of friends*, the *breach of friendship*, *war*, and lastly *peace*. These four parts are here written, extracted from the *Tantra* and other works.

BOOK THE FIRST.

Mitralaba, or the Acquisition of Friends.

THERE is near the *Bhágiráthi*, a city named *Pátáliputra*, in which lived a prince named *Sudéršana*, adorned with every kingly virtue : one day he heard a person read these couplets :

“ Learning dissipates many doubts, causes things, otherwise invisible,
“ to be seen, and is the eye of every one who is not absolutely blind.

“ Youth, wealth, dominion, inconsiderate actions, each of them occasions danger : Oh ! what must all four of them do where they are
“ united ?”

Having heard this, the *Rájá* being afflicted by the conduct of his sons, who knew no books, and were continually walking in evil ways, thus thought within himself :

“ Of what use is it, that a son should be born, who has neither learning nor virtue ? Of what use is a blind eye, except to give pain ?

“ Again :

“ A son is born, and the family is increased ; but in this revolving world, who dies without having been born ?

“ Why should the mother of that son, whom the chalk marks not in
 “ the first enumeration of the virtuous, have complained, had she been
 “ childless ?

“ Of a child unborn, dead, or ignorant, the two first are preferable,
 “ since they make us unhappy but once ; the last by continual degrees :
 “ one virtuous son is a blessing, not a hundred fools ; as one moon diffi-
 “ pates the darkness, and not a number of stars. May the man, who
 “ performs the duty of devout pilgrimage, a duty in every place diffi-
 “ cult, be blessed with an obedient, wealthy, virtuous, and wise son.

“ The continual acquisition of wealth ; freedom from disease ; a be-
 “ loved wife, with tender speech ; an obedient son ; and learning, pro-
 “ ducing riches ; these are the six felicities of living creatures.

“ A father who contracts debts ; a mother who is unchaste ; a wife
 “ who is too handsome ; and an ignorant son ; these are dangerous
 “ enemies.

“ Knowledge not committed to memory, is poison ; food is poison to
 “ him who cannot digest it ; a numerous family is poison to an indigent,
 “ and a young wife, to a decrepid old mate : alas ! my child, by not
 “ passing the night wisely in reading, when thou art among the learned,
 “ thou stickest like a calf in the mud.

“ Why then should not these, my sons, be now made virtuous ?

“ Since, as the poet says :

“ Life, action, property, knowledge, death ; these five were formed
 “ for every body that lies in the womb !

“ The

“ The future condition of great beings is destined with certainty ;
“ both the nakedness of MAHA'DEVA', and the bed of VISHNU on a
“ vast serpent.

“ What is not to be, that will not be ; and if an event be foredoomed,
“ it cannot happen otherwise. This doctrine is a medicine, which heals
“ the venom of sorrow ; why is it not universally drunk ?

“ Prosperity attends the lion-hearted man who exerts himself ; while
“ we say destiny will ensure it. Laying destiny aside, show manly for-
“ titude by thy own strength ; if thou endeavour, and thy endeavours
“ fail of success, what crime is thine in failing ?

“ This is the language of idleness, used by men incapable of action :
“ as a chariot runs not on one wheel, so the acts of man prosper not
“ without favourable destiny.

“ Yet :

“ The potter forms what he pleases with moulded clay, so a man ac-
“ complishes his works by his own act.

“ Besides :

“ A man sees a precious thing before him, and gains it as rarely as
“ the fruit of the *Tála* falls by a crow shaking it : his own destiny gives
“ it not, it requires his manly exertion.

“ Thus it is said :

“ Prosperity is acquired by exertion, and there is no fruit for him who
“ doth

" doth not exert himself : the fawns go not into the mouth of a sleeping
" lion.

" A child forced to read by his parents, attains virtue ; an infant is
" not learned when he leaves his mother's womb. That mother is hos-
" tile, and that father malignant, by whom a child is not made to read ;
" he cannot appear well among the learned, but must be like a heron
" among the flamans."

Considering this, the king gave orders for an assembly of learned men,
and said : " Hear, O ye Pandits ! is there any man qualified to give a
" new life, by moral counsel, to my sons, who, unacquainted with books,
" stray continually from the right path ?

" It is said :

" By the company of gold, even glass acquires the brightness of a
" ruby : thus, by the society of good men a blockhead attains eminence.

" And it is written :

" Knowledge, O Father ! is destroyed by associating with the base ;
" with equals equality is gained ; and with the distinguished, distinction."

Among the rest was a great philosopher named *Visbhusarman*, who
knew the principles of ethicks, and thus, like *Vribaspati*, spoke :

" O king ! the princes, who are sprung from a great family, may be
" made to acquire a knowledge of morals ; but no pains bestowed on
" worthless objects can be successful : the heron cannot by a hundred
" efforts be made to talk like a parrot ; but in this family, no offspring
" without

“ without virtuous principles can be born : how should glafs be gene-
 “ rated in a mine of lotus-coloured rubies?

“ In fix months, therefore, I will make your fons acquainted with
 “ morality.”

The king faid again, with mildnefs,

“ The infect, by affociating with a flower, afcends the head of excel-
 “ lent perfons. The ftone when confecrated by holy men, acquires
 “ divine honour ; as in eastern mountains every common thing blazes by
 “ its vicinity to the fun ; thus, by the company of the good, a man of
 “ ignoble condition attains brightness.

“ Virtues to thofe who know their value are virtues ; yet even thefe,
 “ when they come in the way of vicious men, are vices : as rivers of
 “ fweet water are excellent, but when they reach the fea are not fit to
 “ be tafted.

“ Be you, therefore, the director of my fons in true virtue :” faying
 this, he mildly delivered his children to *Vifhnufarman*, who while they fat
 with pleafure before him on the top of the palace, thus began : “ The
 “ time of the wife is paffed in the delights of poetry ; that of the foolifh,
 “ in vice, in idlenefs, or in quarrelling.

“ Chufe, therefore, to live with true delight ; and I will tell you the ad-
 “ mirable ftory of the crow, the tortoise, and their friends.” The princes
 faid, “ Tell it, Sir ;” and *Vifhnufarman* continued his difcourfe : “ Hear
 “ then the book called *Mitralaba*, or the *Acquifition of Friends* ; of which
 “ this is the firft verfe :

“ Without equipage, without wealth, yet, wife and united by friend-

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“ fhip ;

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"ship; the crow, the tortoise, the antelope, and the rat, performed great actions with celerity." "How was that?" said the princes.

Viṣṇuśarman said: "Near the *Gódāverī* stands a large *Salmali*-tree, on which birds, coming from all quarters, roosted at night. One day when the gloom had just departed, the moon being still in his mansion unperceived—that moon, who is a friend to the night-flowers worshipping God—a raven named *Laghupatanaca*, or *light-wing*, being awakened, saw a fowler approaching, like the genius of death, and alarmed at the sight, said to himself: This morning an enemy appears: I know not what noxious fruit is ripening; so saying, he flew off by degrees; and the fowler, passing by and scattering grains of rice, fixed his net: in this very point of time, a prince of pigeons named *Chitragriva*, or *painted-neck*, with many others fluttering in the air perceived the rice. The pigeons, eagerly desiring to pick up the grains, their prince said to them: How, when no persons are here, could grains of rice be collected? Let us deliberate: I like it not. I see no reason for touching them: doubtless from this coveting of rice, the same evil will happen, as when, through coveting a bracelet, the traveller had a fall in the deep mire, and thus perished in the claws of an old tiger. How was that? said the pigeons. One day, answered *Chitragriva*, in a grove of the *Dacan*, or South, I saw, as I flew along, an old tiger washing himself with some *Cusa*, or holy grass, in his hand. Hola, travellers, cried he, receive this, my golden bracelet: upon this a traveller eagerly desiring it, began to consider, and said, By good fortune has this been offered; yet in seeking it danger appears.

"Surely it is no wise thing to covet, what cannot be attained without peril; since, even nectar in heaven, with which poison is mixed, is fatal to life. Nevertheless, in all desires danger may be feared.

"A man

" A man who meets no peril, sees no good things ; he sees them, if he
" live, who boldly encounters danger : let me consider this fully. Then
" he cried aloud, Where is thy golden bracelet ? The man went upon this
" to bathe himself in the pool, but fell into deep mire, out of which he
" could not escape ; this the tiger knew, and when the traveller began
" to apprehend that he was caught, the beast violently seized and de-
" voured him : thus I may admonish you, remembering the fatal desire
" of gaining the bracelet, that no inconsiderate act ought to be attempted.

" Since it is thus said by wise men :

" He who restrains his appetite, a dutiful son, a prudent and good
" wife, a prince who reigns many years, he who speaks advisedly, and
" he who acts considerately, for a long time give birth to no misfor-
" tune !

" One pigeon hearing this, in great anger exclaimed, Ah ! why dost
" thou talk thus ? To mind the speeches of the old befalls us in an evil
" hour, not to eat, not to associate with females.

" Thus too it is written :

" By disregarding terrors, food, and water, all things on earth are
" attained.

" If a man does nothing because of his fears, by what means can he
" live ?

" Hearing this, all the pigeons descended on the rice.

" Through covetousness comes anger ; through covetousness comes
" lust ; through covetousness come fraud and illusion : covetousness is
" the cause of all sins.

" They

“ They were all made captives in the meshes of the net ; and all began
 “ abusing him, by whose discourse they had fallen into the snare.

“ *Cbitragriva* hearing their censure of him, said, It is no fault of his :
 “ danger arising, a friend so acts as to encrease it ; as a calf is tied by a
 “ stick to the leg of her mother (when she cannot otherwise be milked).

“ In a time of disaster, and of dread, a base man is discerned : here
 “ act circumspectly ; deliberate ; think.

“ Thus it is said :

“ Circumspection in calamity ; mercy in greatness ; in assemblies, good
 “ speeches ; in adversity, fortitude ; in fame, resolution to preserve it ;
 “ assiduity in studying the Scriptures : these are the self-attained perfec-
 “ tions of great souls.

“ Again :

“ Six faults must be abandoned by a man seeking prosperity : sleep,
 “ drowsiness, fear, anger, laziness, loitering.

“ Now, do thus, all of you being united, lift up the net and fly away,
 “ since the union of small minds performs great works ; as by blades of
 “ grass twisted together, an elephant is tied fast.

“ The union even of the small and weak is beneficial ; as rice stripped
 “ of its husk will not spring from the ground.

“ Thus, having consulted together, all the birds took up the net and
 “ flew off : the fowler seeing from a distance the net caught up by them,
 “ ran after them, and after some thought,

“ Said,

" Said,
" These birds, by a joint effort, have taken away my net ; when they
" fall down, then they will be in my power.

" Then the birds disappeared from before his eyes, and the fowler de-
" spaired of retaking them ; on seeing which, the pigeons exclaimed,
" What is now to be done ?

" *Chitragriva* said :

" A mother, a friend, and a father, are all three dear to themselves ;
" and doing good works for another, their understandings are usefully
" exercised.

" Again :

" The small birds desert a tree with little fruit ; the *ibis's* a dry pool ;
" the bees desert flowers, gathered yesterday ; the antelopes, a burnt
" thicket ; women leave an indigent man, domestics a ruined land ; in
" all affairs men connect themselves with those, from whom some profit
" may be derived.

" Such a friend, a rat named *Hiranyaca*, dwells near the *Gandaca*, in
" a wood called *Chitravan* ; he will cut our cords asunder.

" Considering this, all of them went towards the dwelling of *Hirany-*
" *aca* ; who, always being in fear of death, had made an hundred doors
" to the hole in which he lived : being astonished at the noise made by
" the pigeons, he stood silent.

" Friend *Hiranyaca*, said *Chitragriva*, why dost thou not speak to
" us ?

" The

" The rat hearing that extraordinary address, came forth, and said,
 " Ah ! what good fortune, my dearest friend *Chitragriva* !

" Then seeing them tied with cords, he was amazed; and having
 " stopped a little, said, My friend, what is this ?

" What else can it be, answered *Chitragriva*, but the effect of our
 " sins in a former life ? How canst thou, who art a Pandit, ask such a
 " question ?

" From what cause, by what instruments, at what moment, in what
 " manner, by what means, in what space of time, in what place, a man's
 " actions, good or bad, are performed : from that cause, by those instru-
 " ments, at that moment, in that manner, by those means, in that space
 " of time, in that place, it pleases *Brama*, that the man who performs
 " them shall be rewarded, or punished.

" Again :

" Diseases ; the death of parents ; pains ; bonds ; and uneasiness ; these
 " are the fruits of the trees, which are planted by a man's own sins.

" *Hiranyaca*, having heard this discourse, began to gnaw the threads
 " that fastened *Chitragriva*, and was departing. Not so, my friend, said
 " the chief of the pigeons, cut also the bonds of my comrades. I
 " am but weak, and my teeth are small, said *Hiranyaca*, how shall I
 " be able to cut all their cords ? As long as my teeth remain unbroken,
 " so long will I continue to cut thy strings. It is true, said the chief,
 " but, as long as you can, cut their's also.

" *Hiranyaca* replied : To abandon our own, which is especially put
 " under our protection, is not the conduct of skilful moralists. Let a
 " man, for the sake of relieving his distresses, preserve his wealth ; by his
 " wealth

" wealth let him preserve his wife ; and, by both wife and riches, let
" him ever preserve himself.

" The souls of such as desire to promote the justice of a state, and to
" please GOD, are fit objects of preservation ; when such a soul is cor-
" rupted, what will it not corrupt ? When it is preserved pure, what will
" it not preserve ?

" My friend, said *Cbitragriva*, such indeed is the rule of morality ;
" but I am unable to endure the pain of those who are under my pro-
" tection.

" A virtuous man should abandon both riches and life for the sake of
" others : for the sake of the good he should quit his own good, since
" death will certainly come.

" May the greatness of the noble-minded of my tribe, my state, my
" countrymen, ever accompany me. You say, that it is the fruit of my
" own greatness ; at what time will it be so ?

" Let me be even without life, not having abandoned those who are
" dear to me ; let that life be my death, provided my companions remain
" alive.

" Still more : the body consists of bones, and substances, provided
" from the flesh : how can this be preserved from death ? Oh ! my
" friend, preserve thy good name.

" Since that which remains, must be separated from that which de-
" cays ; a pure soul from a filthy carcase ; seek fame in preference to
" bodily honours : Oh, valuable acquisition ! what will it not acquire ?

" The

“ The interval is immense between corporeal qualifications and
 “ sciences ; the body in a moment is extinct, while knowledge endureth
 “ to the end of time.

“ The rat on hearing this was delighted ; and with his hair erect with
 “ joy, said, Well, well, my friend, through thy kindness for these com-
 “ panions, the Creator of the three worlds will clear thee of evil. Say-
 “ ing this, and having gnawed the strings of them all, he received them
 “ as guests ; and, altogether, having performed their adoration, he said,
 “ My dear *Chitragriva*, certainly they who have experienced the pain
 “ of captivity in a net, should not be secure from the fear of committing
 “ some great crime.

“ It is written by the poet :

“ The bird, who from the distance of many hundred leagues, can dis-
 “ cern his food ; he, only, even in the hour of death, sees no snare.

“ Observing, that the sun and moon are put to pain by the dragon,
 “ that elephants and serpents are confined with cords, and that the most
 “ learned men are often the most indigent ; I confine my desire of know-
 “ ledge to the stupendous and all-powerful GOD.

“ The birds traverse remote regions of air, and fly together towards
 “ distress ; the fish are caught by fishers from deep waters, even from
 “ the depth of the sea.

“ What difference is there ? What avails a good heart ? What skill is
 “ there in choosing a fixt station ? Death, stretching forth his hand, seizes
 “ from the greatest distance.

“ Having thus instructed and entertained them hospitably, *Hiranyaca*
 “ embraced

“ embraced and dismissed them. *Chitragriva*, and his companions, then
 “ flew to their own country, and the rat retired towards his hole.

“ When *Laghupatanaca* had seen all these events, he was amazed, and
 “ said, Oh ! *Hiranyaca*, thou art an excellent creature ; perceiving which,
 “ I desire to cultivate thy friendship : I too am able to assist a friend.
 “ The rat hearing this address, ran into his hole, and said, Who art
 “ thou ? A crow, said the other, named *Laghupatanaca*. How, cried
 “ *Hiranyaca*, laughing, can I contract friendship with thee ? When
 “ a man has deserved well of his country, a wise person associating with
 “ him, partakes his merit ; but I am food for thee, and thou my devourer,
 “ how can intimacy subsist between us ? The friendship of a devourer
 “ is a great cause of danger ; yet, a fawn was saved by a crow from
 “ being caught by a shakàl. How was that ? said the crow.

“ The rat answered : In the country of *Magadha* there is a forest, named
 “ *Champaca Vati*, in which an antelope and a crow had long dwelt in
 “ great friendship. This antelope, having roved at liberty, was grown
 “ fat ; which being observed by a shakàl, he said within himself, Ah !
 “ by what means can I feast on yonder delicate flesh ? It may be ac-
 “ complished if I gain his confidence. Thus meditating ; and going
 “ towards him he said, Thou art in excellent health, my friend. Who
 “ art thou ? said the antelope. I am a shakàl, said he, named *Cshudra-*
 “ *buddhi*, and here live friendless, like a dead creature ; but now having
 “ gained thy friendship, I shall live again as thy companion among the
 “ living, since I shall ever be thy servant. Now, when the many-rayed
 “ god was setting, the shakàl arrived at the mansion of the antelope :
 “ there, under the branches of a champaca tree, dwelled the crow, named
 “ *Subbbudi*, the friend of the antelope : Who, said the crow, is this
 “ comrade of thine ? He is a shakàl, said the antelope, my chosen friend.
 “ Oh ! my beloved, said the crow, it is not right to place confidence
 “ with too much celerity.

" For thus it is written :

" To a person of an unknown tribe, or temper, no one should give
 " his house : by means of a cat, the vulture *Jaradgabab* was slain. Both
 " said, How happened that ? The crow answered : There stands near
 " the *Gangá*, on a mountain called *Gridhracuta*, or Vulture-fort, a large
 " *pracati* tree ; in the hollow of which, his sight dim with the fear of
 " danger, lived a vulture, named *Jaradgabab* ; by little and little he sup-
 " plied his young with sustenance from his own prey, and thus the other
 " birds of his species were supported.

" It happened that a cat, named Long-ears, used to devour the young
 " birds, and then to depart. The young ones perceived her coming,
 " and, confounded with fear, made a noise. *Jaradgabab* heard it, and
 " said : Who is coming ? The cat seeing the vulture was alarmed, and
 " said : Alas ! I am destroyed ; I cannot now retreat far from this enemy ;
 " therefore, as my last resource, let me approach him. Having resolved
 " on this, she went near him, and said, Great sir, I am thy servant.

" Who art thou ? said the vulture. A cat, said he. Depart far off,
 " said the other, or thou shalt be chastised. Hear me, however, replied
 " the cat, and if I deserve chastisement, then chastise me.

" Thus it is written :

" Among different sects it is established, who, and for what, is at any
 " time to be punished, or respected ; but he who knows the disposition
 " of another, can best determine whether he deserves punishment, or
 " veneration.

" Speak on, said the vulture. I live here, said the cat, near the *Ganga*,
 " in which I daily bathe myself ; eating neither fish nor flesh, and per-
 " forming

" forming the difficult tasks of a devout person : thou who art well ac-
 " quainted with justice, art, therefore, an object of confidence to me.
 " The birds continually pray before me ; therefore I came hither to
 " hear a discourse on justice from thee, who art eminent in age and
 " science. And thou who art so learned, why shouldst thou be pre-
 " pared to beat me, who am a stranger ?

" Thus says the poet :

" Even, towards an enemy coming to our house, the offices of hospi-
 " tality must be exercised, as the tree impedes not even the wood-cutter,
 " who stands under its shade ! Straw, earth, water, and pleasing words :
 " these four are never absent from the houses of good men.

" A stranger who despairs of reception, departs from the house ; he
 " goes away, leaving the crime of inhumanity in its owner, and bearing
 " himself the merit of a good action.

" The good are indulgent to ignorant minds, as the moon withdraws
 " not her light from the mansions of a Chandal (or Hindu of the
 " lowest cast).

" Shall cats, answered the vulture, who love delicate flesh, dwell here
 " with young birds ? On that account I forbid thee. Then, the cat,
 " stroking her ears, and touching the ground with her head, thus spoke :
 " I who have learned the *Dermásāstra*, am without appetite for flesh. I
 " am performing the difficult offices of religion ; and regardless of the
 " clashing doctrine of the *Puránas*, am perfect in justice, and speak no-
 " thing but truth.

" He who bears no depraved passion, but suffers all things patiently,
 " and gives equal protection to all, that man surely rises to heaven.

" The

“ The true, and only real friend, is he who follows even in death ;
 “ all friendship else, perishing with the body, soon departs.

“ Mark the situations of him who eats, and of his food ; see the short
 “ friendship of the one, and the total destruction of the other.

“ How greatly is a man's pain increased by dying ! Confirm thyself
 “ by this reflection, in a resolution to preserve all other animals.

“ Since man, while the woods abound with delicacies, may be filled
 “ with vegetable productions, Who would commit a deadly sin for the
 “ sake of his burning appetite ?

“ Thus being trusted, he abode in the cavern ; but some days having
 “ elapsed, he assailed the young birds, carried them off, and devoured
 “ them : during this cruel repast, on their plaintive cries, a question was
 “ asked, What he was doing ?

“ The cat, perceiving the discovery, left the cavern, and run away.
 “ The birds, having examined the place on all sides, took up the scat-
 “ tered bones of their young, and suspecting that the vulture had eaten
 “ them, united all their force, and by their first onset the vulture was
 “ killed. For this reason I say, of an unknown tribe and temper
 “ &c.

“ The shakàl hearing this, said with anger, My friend, on the first
 “ fight of this antelope, when you also were of an unknown tribe and
 “ temper, I contracted a friendship which continually increases ! Hear
 “ another verse that says, Such a one is his relation, or a stranger ; this
 “ is the reckoning of a weak minded man : but to a man of a noble dis-
 “ position, the whole earth is related ; and since this fawn is my friend,
 “ be you also dear to me. What need is there, said the antelope, of
 “ this

" this debate, while all of you converse with confidence in one place of
" abode, live in the enjoyment of pleasures.

" Be it so, said the crow, since it is thy will. The next morning he
" departed for a different part of the country.

" My beloved fawn, said the fhakàl, one day in a soft whisper, at one
" side of the wood is a field full of corn, I will take thee and shew it :
" this was done ; and the fawn, going thither daily, regaled himself.

" The owner of the field, having perceived his loss, spread a net there ;
" and afterwards the antelope, venturing further into the field, was
" caught in the snare. Who, thought he, but a friend, has power to ex-
" tricate me from this net, which resembles the net of death. In the
" mean while the fhakàl went to the spot, and, as he approached, thought
" within himself, It has befallen as I wished, and my purpose is effected
" by my device : thus shall I glut my appetite, and feed on the flesh of
" the mangled antelope, mixt with his blood and bones. As soon as
" the fawn discerned him, he was elate with joy, and exclaimed, Oh !
" my friend, gnaw these bonds, and quickly deliver me.

" As the poet says :

" In perils we prove a friend ; in battle a hero ; in wealth a religious
" person ; a wise man in contracted fortunes ; and in calamity kinsmen.

" The fhakàl having looked from time to time on the net, said to him-
" self, Happily this fastening is strong. And then spoke aloud : My
" beloved ! the net is made of leather, How can I touch it on the sun's
" day ? O my friend ! no other advice can be given ; but to-morrow
" morning what thou desirest shall be done by me.

" After

“ After this, on the morrow, when the crow perceived that his friend
 “ had not returned, he searched for him ; and, having found him caught
 “ in a snare, said : My dear fawn, what is this ? The consequence, an-
 “ swered he, of rejecting friendly counsel.

“ As it is written :

“ The man who listens not to the words of affectionate friends, will
 “ give joy in the moment of distress to his enemies.

“ Where is the shakàl ? exclaimed the crow. He is at hand, said the
 “ fawn, watching for my flesh ! This, replied the crow, I predicted ;
 “ such calamity I escape, because I place no such trust : the wise are
 “ continually in dread of the wicked. Then, with a sigh, he added :
 “ Oh, base shakàl ! What, O cruel ruffian, hast thou done !

“ Thus it is truly said :

“ What circumvention is this of companions entertained by thee ;
 “ obliged by thy civilities ; expecting thy favours ; deceitfully polite !

“ A friend who mars thy business in thy absence, yet speaks affection-
 “ ately to thy face, should be shunned as a vase of milk with poison at
 “ its brim.

“ Contract no friendship, or even acquaintance, with a guileful man :
 “ he resembles a coal, which when hot burneth the hand, and when cold
 “ blacketh it.

“ Him who injures his benefactor, his depositor, or any well-natured
 “ man, O earth ! O world ! how canst thou support ? He is a monster
 “ of injustice !

“ Thus

" Thus may the character of a treacherous person be described. At
" first he falls at your feet, and then drinks your blood; he hums a
" strange tune in your ears with soft murmurs, but meditates mischief;
" and having found an opening, enters without remorse: thus, the false
" friend and black gnats practice alike every mode of treachery.

" In the morning, when the crow saw the farmer advancing with a
" staff in his hand, he said to the antelope, My beloved! feign thyself
" to be dead, and remain motionless; but as soon as thou hearest me
" make a noise, run away swiftly.

" The owner of the corn, his eyes expanded with joy, saw the fawn,
" who pretended to be dead: Ah! said he, the animal has died of him-
" self—So saying, he took away the toil, and was diligent in preserving
" his nets. Immediately, the antelope hearing the noise agreed on by
" the crow, ran off at full speed; when the countryman aiming at him,
" threw his staff, and killed the jackal, who lay concealed in a bush.

" Thus it is written:

" In three years, in three months, in three fortnights, in three days,
" the fruit of great vices, or great virtues, is reaped even in this world!

" So much for those two!

" *Lagupatanaca* answered:

" Besides, it would not be for my advantage to feed on thee; even as
" *Chitraviva* lives, thus I live in thy life.

" The wisdom of confiding in beasts who act with probity, is clearly
" seen;

" seen ; in those especially, who like *Cbitragriva* and thou, are good,
" and have good dispositions.

" The mind of a virtuous being cannot be changed, any more than
" the water of the ocean can be heated with a fire of straw.

" Thou, said *Hiranyaca*, art vicious, and with the vicious no friend-
" ship should ever be contracted ; a cat, a buffalo, a ram, a crow, and a
" bad man, gain their own advantage by being trusted ; it is not prudent,
" therefore, to confide in them.

" Besides, you crows are naturally enemies of our race.

" And wise writers say :

" Make no league with an avowed enemy, but cleave to an approved
" friend.

" Water, though well warmed, would quench nevertheless, the fire
" that warmed it.

" An impossible thing cannot be done, but that which is possible may
" be attempted : a chariot goes not on the water, nor can a ship sail on
" dry land.

" Whoever, from solemn treaty, places confidence in enemies, and
" enraged wives, reduces his life to nothing through his folly.

" All has been overheard by me, said *Lagupatanaca*, and I pro-
" mised myself the happiness of your friendship ; without obtaining
" which, I will suffer my body to decay through hunger, and fall dead
" before

“ before thy door : then wilt thou remember too late, that the friendship
“ of the bad, like an earthen pot, may easily be broken, but cannot with
“ ease be repaired ; while that of the good, like a vessel of gold, cannot
“ without difficulty be disunited, but may with little pains be restored to
“ its former state.

“ By melting, metals are united ; for mutual benefit, antelopes and
“ birds ; through fear of danger, and love of gain, ignorant men ; but
“ the virtuous are attached at first sight.

“ If the friendship of the good be interrupted, their minds admit of
“ no long change ; as when the stalks of a lotus are broken, the fila-
“ ments within them are more visibly connected.

“ Piety, charity, forbearance, participation of pains and pleasures,
“ goodness of heart, reputation, and truth ; these are the sciences of
“ friendship : by these arts, what other advantage can I acquire ?

“ The rat then leaving his hole, said : I am delighted with thy sweet
“ conversation.

“ As it is written :

“ To bathe in cool streams, delights not so much a man affected by
“ the sun ; nor a necklace of pearls, or vests, perfumed with sandal, give
“ so much pleasure to the body which they decorate, as the conversation
“ of a virtuous man (which almost surpasses all things), with friendship
“ fixt in his heart ; or that of the learned, which good advice renders
“ venerable, and to which the application of holy sentences, preserved
“ in their memory, adds new graces.

“Not to follow advice ; to break a promise ; to beg money ; cruelty ;
 “absence of mind ; wrath ; untruth ; and gaming ; these are the vices
 “of a friend : by this discourse, not one of these faults is discerned in thee.

“As the poet says :

“Goodness and truth are discerned by a man's discourse ; but cowardice,
 “ardice, and a variable mind, are easily discovered by his conduct.

“It is one thing to hear the language of a friend, whose heart is pure
 “as water, and another to hear the words of a base dissembler.

“Be it so then, I comply with thy request.

“This being said, they contracted a mutual friendship. The rat then,
 “having regaled his new friend with a variety of food, and vowed constant
 “amity, re-entered his hole ; and the crow flew to his own station.

“Thus, a long time passed in daily entertainments, friendly salutations,
 “and confidential discourse. One morning, my dear friend *Hiranyaca*,
 “said the crow, this place is not convenient for the regular acquisition of
 “food ; I am therefore desirous of changing it, and removing to another.
 “Whither should we go, my friend ? said the rat.

“The poet says :

“A wise man walks on one foot, slowly and circumspectly, and lives
 “in one place ; nor, having seen another station, should he desert his
 “former abode.

“There is a place, answered the crow, well constituted for our purpose !

“ pose! What is that? said *Hiranyaca*. The crow answered: In the
“ wood *Dandac* is a pool named *Carpuragára*, where lives an old friend
“ of mine, a tortoise, named *Menthar*, virtuous and just.

“ As it is written :

“ It is easy for all men to display learning in instructing others; but
“ it is the part of one endued with a great mind, to form himself by
“ the rules of justice. He will favour me with fish, and other food.
“ What, said the rat, will become of me who remain here?

“ Let a wise man leave that country where he has neither honour nor
“ friends, nor kinsmen, and in which no learned person resides.

“ Again :

“ Let no man fix his abode where five advantages are not found;
“ wealth, a divine teacher, a magistrate, a river, and a physician.

“ Take me, therefore, with you. Immediately the crow and his be-
“ loved friend, amusing themselves with a variety of conversation, went
“ towards the pool.

“ When *Menthar*, from a distance, perceived *Laghupatanaca*, he rose,
“ and having greeted him, respectfully saluted the rat.

“ As it is written :

“ Whether a boy, a youth, or an old man, come to a house, he must
“ be saluted by its owner, with as much reverence as a spiritual pre-
“ ceptor.

“ The

“ The crow then began : O *Mentbar* ! receive us both with distinguished honour ; this guest is *Hiranyaca*, the prince of rats, virtuous, noble, and in kindness, like the gem-producing ocean ; if the king of serpents were able to describe his virtues, he must speak with two thousand tongues !

“ He then related the story of *Chitragriva* : and the tortoise having paid his respects anew to *Hiranyaca*, said : You are best able to inform us of your reason for inhabiting the wood.

“ I will inform you, said the rat ; be attentive. In a town called *Champa*, is a place full of religious mendicants ; one of them called *Churacarna*, has his abode there, and is used to sleep, having deposited on a beam the remnant of his food given in charity ; this food, I having run up the beam, used to devour. One day an intimate friend of his, named *Vinacarna*, one of the religious fraternity, came to see him, and sat down by him, and relating a number of adventures ; while he, through fear of my voracity, continued waving a piece of cane : his guest said, Why are you displeased with my conversation, and intent on other things ? I am not displeased, my good friend, said the other, but see what a constant enemy yon rat is to me ; he never fails to devour the food, which I preserve in a leaf. When *Vinacarna* had looked at the beam, How, said he, can so feeble an animal as a rat leap up so high ? This must proceed from some cause.

“ As it is said :

“ When a young wife took her old husband by the locks, kissing and embracing him, there was certainly some reason for her fondness.

“ What was it ? said the other. And *Vinacarna* said :

“ In

"In the province of *Goura* is a town called *Cansanti*, where lived an opulent banker named *Chandanas*; when he grew old, relying on his wealth, he married a banker's daughter named *Lilawati*: she was a girl like the fish on the standard of *Cámadevá*.

"And the poet says:

"As those who have caught cold, take no pleasure in moon-shine, or those who have a fever in the heat of the sun, so the mind of a woman delights not a husband, where there is great disparity of years.

"The old banker, however, loved her passionately.

"For it is said:

"All who have souls desire wealth and life; but a young wife is dearer to an old man than his very soul.

"Soon after this, *Lilawati*, elate with youth, losing her dignity, good disposition, and honour, became enamoured of a certain banker's son.

"Thus the moralist says:

"To follow their own inclinations in the house of their father; to join in sports; to mix in assemblies of women before men; to sojourn abroad without end; to associate with harlots; to be always prodigal of their wealth: these cause the ruin of women.

"Drinking with strangers; conversing with bad persons; infidelity to husbands; walking in public; too much sleep; dwelling in the houses of others: these are the constant faults of women.

"A father

"A father secures a woman in infancy, a husband in youth, children
 " in old age ; but a woman who follows her own inclination, cannot be
 " secured.

" One day *Lilawati*, sitting in amorous conversation with the banker's
 " son, on a pink bed, shining like a necklace of pearls, perceived not the
 " approach of her husband ; but when she saw him she rose hastily, took
 " him by the hair, and embraced him, while the lover slipped away.
 " A woman who lived close by, and saw this, repeated in her own mind :
 " When a young wife, and so forth.

" Now, in my opinion, the encreased strength of this rat must proceed
 " from some cause. Consider a little, the cause may be important ; per-
 " haps a treasure is collected there.

" Since it is written :

" Every rich man, and every bad man, in all places, and at all times,
 " gains pre-eminence, and encrease of dominion, by his wealth.

" So saying, the religious mendicant took a spade, and having dug up
 " my hole, seized my long-collected hoard ; after which I was destitute
 " of strength, and *Chudacárna* having weakened me with pleasure to
 " himself, and seeing me unable to obtain food, timidly creeping by little
 " and little,

" Thus said :

" Every man abounding in wealth, becomes by that wealth a man of
 " learning ; see, for this reason, how this wicked rat stands on a level
 " with his whole race collectively.

" A man

"A man who has no substance, can have but little understanding ;
 " all his actions die away like rivulets in the fultry season.

" He who has wealth has friends ; he who has wealth has relations ;
 " he who has wealth is a hero among the people ; he who has wealth is
 " even a sage.

" Empty is the house of a childless man ; as empty is the mind of
 " a bachelor ; empty are all quarters of the world to an ignorant man ;
 " but poverty is total emptiness.

" After all :

" These members are not impaired ; this name also remains ; this
 " voice also continueth ; this knowledge is not weakened ! By the
 " arrogance, which wealth occasions, a man is ruined ; so much for him !
 " Another succeeds, and has the same end. What wonder is there in
 " this ?

" All this being heard and considered, a longer abode in that place,
 " then appeared improper for me ; and what this man had said to the
 " other on the subject, was equally disagreeable.

" Therefore, as it is written :

" A prudent person should not discover his poverty, his self-torments,
 " the disorders of his house, his uneasiness, or his disgrace.

" When the Divine displeasure is incurred, and human life is exposed
 " to vain disquiet, whence, except from the thickest wood, can an indi-
 " gent man derive comfort.

" The

"The man of virtue may die, yet he becomes not avaricious ; as fire
" may be extinguished, but cannot be cooled.

"A scholar, like a cluster of flowers, must remain in one of two con-
" ditions, either at the head of men, or in the desert.

"And since a life of beggary, in that place, would have been ex-
" tremely ridiculous, therefore,

"According to the verse :

"A mind harassed by indigence, would receive more content from the
" body being consumed with fire, than from a greedy grasping niggard !

"From poverty comes disgrace ; from disgrace, want of courage ;
" from imbecility, ruin ; from ruin, desertion of the world ; from that
" desertion proceeds anguish ; from anguish, loss of understanding ; from
" loss of understanding, loss of all things. Strange that poverty should
" be the source of all evils !

"Silence for the remainder of life, is better than speaking falsely.

"To depart from life is better than taking pleasure in the words of
" an insidious man ; and to subsist on alms, than to live luxuriously with
" another's wealth.

"It is better to abandon life, than flatter the base.

"Servitude takes away all honour, as moon-light disperses the dark-
" ness, and as old age destroys the bloom of beauty ; and as piously nam-
" ing God removes sin, so beggary extinguishes a multitude of virtues !

"How

"How then could I subsist on the cates of another person? Wretched
"would be that sustenance! And as bad as the gates of death.

"Superficial knowledge; pleasure dearly purchased; and subsistence
"at the will of another; these three are the disgrace of mankind.

"Miserable is he who resides in a foreign land, he who eats the food
"of another, and he who dwells in another's house: whoever lives must
"die, and whoever dies finds rest in death!

"Having remarked this, I again endeavoured, through desire of gain,
"to acquire new riches!

"And repeated the lines of the poet:

"Through avarice a man loses his understanding; and by his thirst for
"wealth, he gives pain to the inhabitants of the other world, and of this.

"Then, terrified by the piece of split cane which *Venacarna* held, I
"thought within myself; a covetous, discontented man, is always his
"own enemy; and called to memory this couplet.

"He who possesses a contented mind possesses all things; as the snake
"who is covered with his skin, has no need of slippers for his feet.

"How can that delight, which the godly-minded feel, who taste the
"nectar of content, be felt by those who covet wealth, and flutter about
"from place to place.

"That man has read, has heard, has practised every thing, who, lay-
"ing expectation aside, seeks refuge in his despair of worldly enjoyment.

“ Not to attend at the door of the wealthy, and not to use the voice
“ of petition, these constitute the best life of a man.

“ An hundred long leagues is no distance for him who would quench
“ the thirst of covetousness ; but a contented man has no solicitude for
“ grasping wealth : the seasonable termination of business, therefore, is
“ always best.

“ How great a duty is it to take a tender care of our souls ! How
“ great a delight is good health to all creatures !

“ How great a satisfaction is friendship !

“ How high a gratification to the wife, is the completion of works
“ well begun !

“ Let a man desert a single person for the sake of his tribe ; his tribe
“ for the sake of his native city ; his native city for the sake of his
“ country ; and the whole world for the sake of his whole soul.

“ Of two things, water drank without pain, or sweetmeats eaten with
“ great fear of illness, I see by certain experience, whether gives the
“ more satisfactory pleasure.

“ Having considered this, I repaired to a wilderness, where I was sup-
“ ported by a sense of my own virtue ; and having been entertained by
“ the many favours of this excellent friend, I now consider the protec-
“ tion of your good qualities, as an acquisition equal to heaven itself.

“ As the poet says :

“ The

“ The poisonous tree of this world bears two fruits of exquisite
“ favour, poetry sweet as nectar, and the society of the good.

“ Thy excessive parsimony, said *Ment'bara*, was the fault, which
“ caused these misfortunes.

“ It is written :

“ A proper neglect of riches is the means of preservation ; as the
“ canal is preserved by holding water negligently on its bosom.

“ He who seeks wealth, sacrifices his own pleasure ; and like him
“ who carries burdens for others, bears the load of anxiety !

“ Why are not we enriched with that wealth, which fills the coffers
“ of those who employ it neither in liberality or food.

“ The wealth of a covetous man is the same, with respect to others,
“ as money never enjoyed ; it is his property, and when lost he becometh
“ miserable.

“ Liberality attended with mild language ; divine learning without
“ pride ; valour united with mercy ; wealth, accompanied with a gene-
“ rous contempt of it ; these four qualities are with difficulty acquired.

“ Frugality should ever be practised, but not excessive parsimony ;
“ for see how a miser was killed by a bow drawn by himself !

“ How was that ? said *Hiranyaca*.

“ In the country of *Calyānacataka*, said *Ment'bara*, lived a mighty
“ hunter,

“ hunter, named *Bhairaza*, or terrible ; one day he went in search of
 “ game into a forest, on the mountains *Vindhya* ; where having slain a
 “ fawn, and taken it up, he perceived a boar of tremendous size ; he
 “ therefore threw the fawn on the ground, and wounded the boar with
 “ an arrow ; the beast, horribly roaring, rushed upon him, and wounded
 “ him desperately, so that he fell like a tree stricken with an axe.

“ Thus says the poet :

“ Water ; fire ; poison ; the sword ; hunger ; disease ; falling from a
 “ rock ; these are accidents, which whenever a man meets, he is deserted
 “ by his vital spirit.

“ In the meanwhile a shakàl, named *Lougery*, was roving in search of
 “ food, and having perceived the fawn, the hunter, and the boar, all
 “ three dead ; he said to himself : What a noble provision is here made
 “ for me !

“ As the pains of men assail them unexpectedly, so their pleasures
 “ come in the same manner ; a divine power strongly operates in both.

“ Be it so, the flesh of these three animals will sustain me a whole
 “ month, or longer.

“ A man, suffices for one month ; a fawn, and a boar, for two ; a
 “ snake, for a whole day ; and then I will devour the bowstring. When
 “ the first impulse of his hunger was allayed, he said : This flesh is not
 “ yet tender, let me taste the twisted string, with which the horns of
 “ this bow are joined. So saying, he began to gnaw it ; but in the in-
 “ stant when he had cut the string, the braced bow leaped forcibly up,
 “ and wounded him in the breast, so that he departed in the agonies of
 “ death.

“ death. This I meant when I cited the verse : Frugality should ever
“ be practised, &c.

“ Besides :

“ What a rich man gives, and what he consumes, that is his real
“ wealth ; when he dies other covetous men will sport with his riches,
“ and with his women.

“ What thou givest to distinguished men, and what thou eatest every
“ day, that, in my opinion, is thine own wealth. Whose is the re-
“ mainder which thou hoardest ?

“ But let this pass, what use is there in resuming old topics ?

“ Wise and learned men seek not unattainable things, grieve not for
“ what is lost, and vex not themselves in the hour of danger.

“ Follow this practice, my friend, and be content.

“ Many who read the scriptures are grossly ignorant ; but he who
“ acts well is a truly learned man.

“ The recovery of the sick is attained by careful meditation, not by
“ knowing only the names of the patients.

“ A man eminent in learning, has not even a little virtue, if he fears
“ to practise it. What precious things can be shewn to a blind man by
“ a lamp, which he holds in his hand.

“ My friend, new friendship will be contracted with the helps which a
“ new

" new country will supply. The rat said : But this must not be complied with.

" Since it is written :

" A prince, a woman of high rank, a priest, an obedient servant, a counsellor, never prosper by leaving their native places ; in this respect men resemble their teeth, their hair, and their nails. *Ment'bara* said : This however is the speech of a weak man.

" Since others write :

" Lions, elephants, and brave men, leave their country, and prosper ; while ravens, cowards, and deer, remain in theirs and perish.

" Thus, too, it is said :

" What is the business of a valiant and wise man ? What other country can he know, but that which he has subdued by the strength of his arm ?

" In the forest of which a lion armed with teeth, claws, and a tremendous tail, becomes possessor ; even there he quenches his thirst with the blood of the princely elephant whom he has slain.

" Frogs repair to a small pond, fish to a full lake ; but all the wealth of others, comes to a man who exerts himself.

" I continually am enjoying present pleasure, or feeling present pain : thus pains and pleasures revolve like a wheel !

" The

“ The goddess of prosperity hastens voluntarily to inhabit the mansion
“ of that brave man, who lives contented, dispatches his business, knows
“ the difference of actions, is able to bear misfortunes, and is firm in
“ friendship !

“ A hero, even without riches, attains an increase of honour ; but a
“ base man, with all his collected wealth, treads the path of infamy.

“ How can a dog, by running away with a necklace of gold, obtain
“ the noble spirit of a lion, whose nature leads to the acquisition of emi-
“ nent virtues ?

“ What means thy pride, O wealthy man ? When thy wealth is gone
“ thou art miserable ; and the riches of men are tossed about, like a ball,
“ from hand to hand.

“ The shadow of summer clouds, the friendship of wicked men, green
“ corn, and women, youth, and wealth, all these are enjoyed but a short
“ time.

“ Strive not eagerly to attain provisions, they are provided by GOD :
“ when the new-born animal falls from the mother, her nipples drop
“ milk for his support.

“ Yet more, my friend :

“ He, by whom white flamans, green parrots, and richly coloured
“ peacocks, were made, will surely find provision for thee !

“ Hear also, my beloved, the wonderful property of riches : they who
“ are acquiring them endure pain ; and when they have acquired them,
“ are

“ are harassed with perils ; whence then can proceed the delights of
“ wealth ?

“ Still farther :

“ Even with the love of virtue, the pursuit of wealth is excelled by
“ poverty : it is better to stand at a distance from mud, than to be de-
“ filed by bathing in it. Therefore, as food is acquired by fowls in
“ the air, by birds and beasts of prey on earth, and by fish in the water,
“ so may a man be in all places rich.

“ As death is apprehended by all animals, so the apprehensions of the
“ rich from kings, from water, from fire, from robbers, from relations,
“ never cease !

“ In many births is pain ; and what pain may not ensue ? When will
“ there be no desire of wealth ? A desire which is insatiable.

“ Again, O my brother, hear :

“ Riches are not easily acquired, and when acquired, are with extreme
“ care preserved ; when death comes they are gone, be not therefore
“ anxious for wealth.

“ If thirst of riches be abandoned, who is poor ? But if it continue,
“ and a river of gold be given to satisfy it, yet mean habits of servility
“ will remain with it.

“ From the attainment of every desired object, the desire is satisfied ;
“ if conversely the desire be satisfied, a man, rich in himself, has obtained
“ his object !

“ Still

" Still farther :

" What use is there in wealth to him who neither gives nor enjoys
" it ? What is strength to him who subdues not his own foes ? What
" signifies a knowledge of the Scripture to him who fails to practise vir-
" tue ? What is the soul itself to him who keeps not his own body in
" subjection ?

" Why should many words be used ? Let the present time be spent in
" confidential discourse.

" As it is written :

" Friendships, even after death ; resentments before it, appeased ; and
" a boundless liberality ; these are not the qualities of little souls.

" Thou art kind, friend *Ment'bara*, said *Laghupatanaca*, and art ever
" disposed to give a just protection.

" As the poet says :

" By means of the good, are the good extricated from difficulties ; as
" elephants who stick in a quagmire, can be drawn out only by ele-
" phants !

" An honest man is delighted with an honest man ; but the base take
" no delight in the just ; as the bee approaches the lotus with a soft
" murmur, not the frog who stays fixed in one spot.

" Again :

" He is the only valuable man, he is the most excellent ; he is a man
 " of real worth, from whose presence neither they who ask alms, nor
 " they who seek protection, depart hopeless or unsuccessful.

" The three true friends, therefore, feeding and roving at pleasure,
 " lived with content and happiness. Sometime after, an antelope, named
 " *Gbitránga*, or painted-hide, shewing great marks of fear, came to the
 " place where the friends were assembled ; each of them perceiving his
 " approach, looked back with apprehension of danger : the tortoise en-
 " tered the water, the rat his hole, and the crow flew to the top of a
 " tree. The crow, however, looking round to a considerable distance,
 " saw no just ground of dread ; and on his report they all reassembled.
 " When the tortoise perceived the fawn, he said : Welcome, good ante-
 " lope, enjoy here the pleasure of grazing at will ; and honour this forest
 " by making it your abode. I am terrified by a hunter, said *Gbitránga*,
 " and come to seek your protection. He who rejects another, seeking
 " his protection, commits a crime, say the learned, equal to that of
 " killing a Brahman. I am desirous of obtaining your friendship. A
 " contract of amity with you, answered *Hiranyaca*, is readily formed
 " by us.

" As the poet says :

" We may distinguish four sorts of friendship ; that contracted by our
 " sons, that by our kinsmen, that transmitted by our ancestors, and that
 " which preserves ourselves from danger.

" Live here then without any distinction between our abode, and
 " your own home.

" When the antelope heard this he was delighted, and having grazed
 " and

“ and roamed at his ease, drank some water from a pool, and slept by
“ the side of it, under the shade of a tree.

“ According to the couplet :

“ Spring water, the shade of the * Bata-tree, and a house built with
“ bricks ; these are warm in the cold season, and cool in the hot.

“ Friend antelope, said *Ment'bara* when he waked, what can'st thou fear
“ in this unfrequented thicket, which hunters seldom or never visit ?

“ The antelope answered, In the country of *Calinga* is a prince, named
“ *Rucmangàda*, who advancing with preparations to subdue the adjacent
“ regions, has fixed his station near the river *Chandrabbāga* ; and a
“ report has prevailed that he will come with a party of huntsmen
“ early in the morning towards the lake *Carpura*, so that our stay here
“ this morning appears dangerous ; suggest some contrivance for our
“ safety.

“ The tortoise hearing this, said, with marks of fear : I will conceal
“ myself in this pond. The crow and antelope said : We will seek a
“ different hiding-place.

“ *Ment'bara*, said the rat, laughing, has an advantage in returning to
“ the water : what advantage has an animal who lives only on land ?

“ Thus it is said :

“ Water is the strength of aquatick animals, a moat of those who in-
“ habit it, their own country of those who travel on foot, and of princes'

* *Ficus* of Linnæus.

“ valour :

“valour : with this admonition, friend *Ment'bara*, be it as you deter-
 “mine ; yet, when the banker's son saw the woman strike her breast, he
 “was unhappy, and such unhappiness will befall you if we are injured.
 “How was that ? said the company.

“In the country of *Canyacuja*, said the rat, is a prince named *Virasena*,
 “and his son, named *Furangabala*, holds the vice-royalty of a large city
 “called *Virapura* ; the prince was immensely rich, and in the prime of
 “youth. As he was walking in the city, under his command, he saw
 “a most lovely girl named *Lavanyavati*, or (with a fine complexion) the
 “wife of a banker. When he came to his palace, his mind being dis-
 “tracted with passion, he sent a female messenger to her. *Lavanyavati*,
 “on her part, was delighted with the sight of the prince, and her bosom
 “was rent with the arrow of love, so that she fixed her mind on him
 “alone.

“As it is written :

“No man is hated by woman, and none is truly beloved by them ; as
 “cattle in a forest seek for pasture fresh and fresh.

“This damsel, therefore, having heard the discourse of the female
 “messenger, spoke thus : I am wholly at the service of my husband :
 “how then can this be complied with ?

“It is written :

“She is a wife, who is attentive to her family ; she is a wife, who is
 “the life of her husband ; she is a wife, who faithfully serves him ; she
 “is not to be named a wife, in whom a husband is not happy.

“A huf-

“ A husband who has called on the fire to attest his faith, is surely the
“ sole asylum of his wife ; the beauty of a cocil is his song ; the beauty
“ of a woman is obedience to her husband ; the beauty of the ugly is
“ learning ; meekness is the beauty of the pious ; but if the lord of my
“ life shall tell me to do such things, I am ready to commit even this
“ great sin ! Is this true ? said the woman. Perfectly true, answered
“ *Lavanyavati*.

“ The female emissary reported all this conversation to *Turangabala* ;
“ and when the prince heard it, he said : the man must be invited, and
“ bring his wife here, and then she may be gained. But how can this be
“ effected, said the woman, think of some contrivance,

“ For it is written :

“ That may be accomplished by a stratagem, which force cannot ac-
“ complish : an elephant was slain by a shakàl, who led him into a
“ quagmire.

“ *Turangabada* asked, How that happened ? and the old woman an-
“ swered :

“ In the forest of *Brabma* lives an elephant, named *Carpúratilica*,
“ whom, when the shakàls saw, they said among themselves, If this
“ animal can, by any stratagem, be killed, we shall be supplied with food
“ from his carcase for four months. An old shakàl upon this boldly
“ said : By my sagacity and courage his death shall be effected. He ac-
“ cordingly went close to the elephant, and saluting him by bending his
“ whole body, thus addressed him : Divine beast ! grant me the favour
“ of an interview. Who art thou ? said the elephant, and whence dost
“ thou come hither ? I am, replied he, a shakàl, surnamed Little and
“ Wife,

" Wife, and am sent into thy presence by the assembled inhabitants of
" these woods. Since the vast forest cannot subsist without a king, it is
" therefore determined to perform the ceremony of washing thee, as
" sovereign of the forest; thee, who art possessed of every princely
" virtue.

" Thus it is said :

" He who is eminent in birth, virtue, and piety, splendid, just, perfect in morals, is fit to be a ruler in this world.

" Again :

" Let a man first choose his king, then his wife, and then acquire his property.

" If there be no king among mortals, whence can riches flow? Besides, a king, like the clouds, is the supporter of all animals: when the clouds produce no rain, or the king is vitious, no being can live.

" Farther :

" A man always intent on gain, is bound to act well in this life, almost wholly by the fear of punishment; and an honest man is hard to be found! Thus a woman is obliged by the dread of punishment to take a husband of her own family, though he be base, or dull, sick, or poor.

" Left, therefore, the fortunate time for thy inauguration should slip away, come quickly; so saying, he rose, and erecting his tail, ran on; while the elephant, conceiving in his mind the desire of royalty,
" marched

“ marched in the same road with the shakàl, and stuck in a deep bog.
 “ Friend shakàl, said he, what can now be contrived for my escape? I
 “ am fallen into a quagmire, and cannot rise out of it. The shakàl said,
 “ laughing: Take hold of my tail, my lord, and get out by the help of
 “ it. Such is the fruit, said the elephant, of my confidence in your de-
 “ ceitful speech.

“ As the poet says:

“ If thou enjoyest the company of the good, then wilt thou thyself
 “ be happy (good); but if thou fallest into company with the wicked,
 “ then wilt thou fall indeed!

“ Therefore, I said: That may be accomplished by a stratagem, &c.

“ Afterwards, by the old woman's advice, the prince took into his
 “ service the banker's son, named *Chárudatta*, the husband of his beloved,
 “ and employed him in all confidential affairs. One day the prince
 “ coming fresh from the bath, adorned with gold and gems, said to him:
 “ I must celebrate the * *Gauri Puja* for a whole month; and on each
 “ day, beginning from the present, thou must bring me, in turn, a young
 “ woman of good family, who may pray for me to the goddesses as fervently
 “ as she can. *Chárudatta* accordingly brought a young woman of rank,
 “ and delivered to him, and then concealed himself to discover what
 “ he would do: but the prince, without even touching the damsel, de-
 “ corated her with a rich dress, paid his adoration together with her
 “ to the goddesses, and instantly dismissed her with a guard. The hus-
 “ band having seen this, with an eager desire of gain, next day brought
 “ and introduced his own wife to the prince, who knowing *Langalavati*,
 “ whom he tenderly loved, immediately arose, and closely embraced her,

* *Gauri*, one of the names of the consort of *Siva*; also, a fair young woman.

“ and

" and his eyes expanding with joy, led her to a couch adorned with
 " gems ; whilst *Charutta*, having written this on his mind, but ignorant
 " how he should act, stood by afflicted and tormented. Thus, therefore,
 " must thou act and suggest some prudent scheme. The tortoise, how-
 " ever, not regarding this friendly discourse, abandoned the lake and
 " stole away, while the rat, and the other friends, followed him. As
 " they advanced a little farther on, a huntsman, beating the thicket,
 " found the tortoise, and having tied him to his bow, brought him in
 " painful agitation to his house. The fawn, the rat, and the crow,
 " seeing this, were oppressed with grief. The rat mournfully exclaimed:
 " I find no end of misfortunes : like a person who attempts to traverse
 " the ocean, one calamity is followed by another, and to this pain many
 " dangers are added.

" Yet more :

" A friendship arising from nature, grows by a change of fortune ;
 " and a virtuous being abandons, not even in danger, a friendship which
 " art has not formed.

" Not in a mother, not in wives, not in a twin brother, not in a son,
 " can men have such confidence, as in a friend united by conformity of
 " disposition !

" Thus am I extremely miserable ! Alas, my unhappy destiny !

" It is therefore written :

" Happiness and misery are caused by each man's acts in a former
 " state : thus, in this life even, I see the bad fruits of a preceding birth.

" The body approaches to decay ; and riches produce danger, in
 " coming

" coming and departing : all things that grow are subject to dissolution.

" Then, being yet more anxious, he said :

" The preservers from grief, from enemies, from fear, the seat of affection and confidence is friendship, a little word of two syllables. By whom was this precious gem created ?

" An union producing true affection, the delight of both eyes and heart, a precious vase, in which to deposit both pleasure and pain, is hard to be acquired ; but such friends, as in time of prosperity make a bustle through desire of gain, are every where to be found. Their sincerity must be tried by the touchstone of adversity.

" Then the rat, with various emotions of anguish, thus addressed the crow and the fawn.

" As long as the hunter shall remain in the wood, an effort must be made to recover the tortoise.

" Both of them said : Tell us quickly what must be done.

" Let the fawn, said *Hiranyaca*, go near the pond, and, lying motionless, make himself appear as if he was dead, while the crow, sitting on him, pecks him a little with his beak ; when the greedy hunter sees this, he will certainly leave the tortoise, and go hastily for the flesh of the antelope ; I, in the mean time, will gnaw the string which binds our friend ! The fawn and crow both went, and did immediately as they were directed. The hunter being fatigued had drank some water, and was sitting under a tree, when he saw the antelope fall. Then taking a large knife he went with great joy towards him, while

" *Hiranyaca* gnawed in two the string ; upon which the tortoise repaired
 " with all possible speed to the pool, and sunk in the water. When the
 " antelope saw the hunter approach he rose and ran away, while the
 " crow flew into the air. As soon as the rapacious hunter returned to
 " the tree, he missed the tortoise, and with vexation exclaimed : This is
 " the consequence of having acted unadvisedly.

" He who leaves things certain, and pursues things uncertain, loses
 " what he had obtained, and misses what he expects.

" The hunter then returned home, while the tortoise and his friends,
 " all free from danger, returned to their stations, and passed their lives
 " with pleasure.

" Make friends, both strong and weak, as you see how the tortoise
 " was released from bondage by a rat."

The princes then said, with delight : " The happy union of these
 " friends will contribute to our improvement !"

" Let this then be your great object, and more than this," said *Vish-
 nusarman*.

" As it written :

" Attach thyself to a virtuous friend, and bring down the goddess of
 " abundance on thy country. Let kings nourish and protect the world ;
 " constantly fixed in the path of justice : let virtue be wedded to you,
 " O monarchs ! that you may give happiness to the hearts of the vir-
 " tuous ; and may the GOD, who decorates his brow with a waning
 " moon, grant felicity to all mankind !"

THE END OF THE FIRST BOOK.

BOOK THE SECOND.

Subridbbeda, or the Breach of Friendship.

THE princes then said : " Great sir, the acquisition of friends has
" been heard ; it is our desire now to hear a discourse on the breach of
" friendship."

" Hear then," said *Viṣṇuśarman*, " the book *Subridbbeda*, of which this
" is the first verse.

" The great and increased friendship of the lion and the bull, in the
" forest, was broken by an artful and covetous śhakàl."

" How was that ?" said the princes.

Viṣṇuśarman answered : " In the country of *Dacṣin*, or South, is a
" city named *Southernavati*, where lived a very rich banker, named
" *Verddhamana* ; who, with all his wealth, seeing others very opulent,
" still resolved to increase his own riches.

" For :

" Whose greatness is not occasioned by seeing others lower and lower
" than himself ? All men are poor who see others higher and higher
" than them.

" He

“ He who thinks himself well provided for by small possessions, will
“ not, in my opinion, have them encreased by the Creator of the world.

“ *Luchmi*, the goddess of prosperity, desires not to dwell with a lazy
“ unemployed man.

“ May women be unable to bring forth a son, who shall not exert
“ himself, who is discontented, weak, and giving pleasure to his foes.

“ Gain all you can, and what you gain, keep with care ; what you
“ keep, encrease, and what you encrease, bestow on good works.

“ The man who neither gives in charity, nor enjoys his wealth, which
“ every day encreases, breathes, indeed, like the bellows of a smith ; but
“ cannot be said to live.

“ He who augments not his substance, though he spends little, wastes
“ away like a medicine applied to weak eyes. Riches not employed,
“ are of no use.

“ Let a man, who remarks the speedy waste of eye-water, and the
“ quick encrease of a white ant's nest, suffer no day to pass unfruitful
“ in charity, study, and good works !

“ By the fall of water-drops the pot is filled ; such is the encrease of
“ riches, of knowledge, and of virtue !

“ Having thus meditated, the banker yoked his two bulls, named
“ *Sanjivaca* and *Nandaca* ; and having laden a waggon with various ar-
“ ticles of trade, repaired towards *Cashmir*.

“ Since :

“ Since :

“ What burden is too great for those who can bear it ? What is distance
“ to those who have important affairs ? What is residence in a foreign
“ country to the learned ? Who is a foreigner to those who speak civilly ?

“ As he was travelling on a mountain, called *Sudurga*, his bull, named
“ *Sanjivaca*, fell and broke his knee ; which the merchant observing,
“ thus said to himself :

“ Let a wife moralist transact his business in all parts of the world, his
“ reward will be, that which is fixed in the mind of God !

“ Farther :

“ The man who possesses true learning, must act when he is sent on
“ business with dispatch : knowledge certainly prescribes dispatch in the
“ soul of man ; but fear, which is the ruin of all actions, must be laid
“ aside on all occasions : by discarding fear, and discharging our duty,
“ success is obtained.

“ So saying, he left *Sanjivaca*, and having yoked another bull, packed
“ up his goods and proceeded. *Sanjivaca*, towards the end of the day,
“ rose up, as well as he could, by the help of his three legs.

“ For :

“ Of an animal plunged in the ocean, fallen from a mountain, or
“ bitten by a snake, the allotted will of heaven preserves the life.

“ Some days having past, *Sanjivaca* was able to traverse the forest,
“ where

“ where grazing and sporting at pleasure, he was delighted, grew plump
 “ and strong, and loved with vehemence.

“ In the same forest a lion, named *Pingalica*, was enjoying the delight
 “ of dominion obtained by his own arm.

“ As it is written :

“ There is no washing in holy water ; no homage paid by beasts to
 “ a lion who gains power by his own strength ; his empire is from him-
 “ self.

“ One day the lion, distracted by thirst, went near the *Yamunà* with
 “ intention to drink of its water, and there the lowing of the bull, a
 “ sound before unheard by him, first struck his ear, like the roaring of a
 “ thunder cloud ; upon which he retired without tasting the water, and
 “ returned, intimidated, to his own den, standing silent, and considering
 “ what it could be. In this posture he was perceived by two shakàls,
 “ sons of his minister, named *Caràtacà* and *Damànacà* ; the second of
 “ whom, observing it, thus addressed the former : Friend *Caràtacà*, for
 “ what reason did the lion, who was thirsty, stay so short a time, that
 “ he could not taste that clear water ? My friend, answered *Caràtacà*, it
 “ is my opinion, that we have not attended to perform some service ;
 “ but why should we strive to guess what he wants, for we have both
 “ been long hated by the king, and yet great pain is endured by us.

“ As it is said :

“ See what is done by servants, who seek wealth by their service ;
 “ their bodies are under the command of another, and their own is taken
 “ away by fools !

“ Again :

“ Again :

“ While men, protected by others, bear the pain of cold, heat, and
“ wind, the learned and pious are happy in the enjoyment of bodily ease.

“ Yet more :

“ That life is good which is not sustained by another : If they who are
“ dependent on others be truly alive, who are dead ?

“ Besides :

“ Come, go, fall, stand up, speak, keep silence ; thus do the rich sport
“ with their wealth, which swallow up those who are caught by expect-
“ ation.

“ For :

“ The foolish, through desire of gain, make themselves like harlots,
“ polishing and improving themselves, and offering presents to other
“ men.

“ Farther :

“ Servants, that their master may not be in a passion, strictly obey his
“ very look, which, by its nature, is variable.

“ And it is added :

“ He salutes for the sake of gain ; for the sake of living he resigns
“ the privileges of life ; he is miserable for the sake of pleasure.

“ Who,

“ Who, if such a one be called wise, deserves the name of fool ?

“ Still farther :

“ If he be silent, he is called a fool ; if eloquent, a madman, or a pratler ; at hand, an artful fellow ; at a distance, a bad attendant ; if patient, a coward ; if he cannot endure bad treatment, an errant rascal : the duty of a servant is extremely hard, and not performable even by faints !

“ This, replied *Damànacà*, is not always to be supposed, for why should not the great be served for the sake of their favour ? They who are soon pleased, and gratify the wishes of their servants.

“ Again :

“ Whence should men out of place have wealth, which makes others give way to the fan grooms of their horses ? Whence should they procure white umbrellas with long sticks, horses, elephants, and a troop of attendants ?

“ *Caràtacà* rejoined : Yet, what is our service ? we ought certainly to leave it.

“ Mark !

“ He who desires to perform what is not his business, falls dead to the ground, like the monkey who took up the timber. How, said *Damànacà*, happened that ?

“ There is in *Magadbadesa*, said *Caràtacà*, near *Dhermaranya*, a writer named *Subhada*, and intending to give an entertainment, a new assembly

“ bly room was begun to be built ; a carpenter having sawed through
 “ part of a beam it fell on the ground, and a wedge was fixt between the
 “ two pieces of wood. In that place a herd of large monkeys, inhabi-
 “ tants of the forest, came playing tricks ; and one of them, against
 “ whom the staff of death was sent, having taken the beam with both
 “ his paws, sat down upon it ; when the two pieces of sawed wood caught
 “ him, and he was so crushed that he perished : therefore, I said, He
 “ who desires to perform what is not his business, &c.

“ Yet, said *Damànacà*, a servant must indubitably perform the task
 “ assigned by his master.

“ And, said *Caràtacà*, a master being absolute in the whole extent of
 “ his dominion, may appoint a chief counsellor ; a servant, therefore,
 “ should never talk of business which does not belong to him. He who
 “ talks of what is not his business, even through a regard for his master,
 “ may be beaten, like the ass, with clamorous reproof, and die of
 “ pain !

“ How, said *Damànacà*, did that happen ?

“ In *Varanas*, replied *Caràtacà* (or *Baranasi*, not *Benares*), lived a
 “ washerman, named *Carpurapata* ; one night having amused himself
 “ with his young wife, he fell fast asleep ; when a thief entered his house
 “ to steal his cloaths. In the court-yard an ass was tied, and a dog sat
 “ by him.

“ The ass said to the dog : This is your business ; What means this ?
 “ Why dost not thou bark loud, and wake our master ? Why shouldst
 “ thou talk of my business ? said the dog ; thou knowest the whole, and
 “ as well as I have long guarded this man's house ; for this reason, he

“ has long, while he had no fear, ceased to think of my food, and now
“ wholly neglects to give it : such is the neglect of masters, when they
“ see nothing alarming.

“ Hear, thou blockhead, said the afs, the canine race is by nature im-
“ pure, and not to be touched, and see what they become by service ;
“ for, what sort of a servant, or what sort of a friend is he, who begs for
“ food while he is doing his duty ?

“ Hear too, said the dog :

“ What sort of a master is that, who does not honour his servants
“ while they discharge their duty ?

“ Since it is written :

“ To protect servants, to serve masters, and to discharge moral duties,
“ there is no need of dragging by violence !

“ The afs, in a passion, said : Thou art an old sinner ; but as to what
“ thou sayest of deserting the business of my master, be it so ; and let
“ me take such measures as will awaken him !

“ Since :

“ With the back a man should venerate the sun, with his breast the
“ fire, his master with every circumstance, and those of other worlds
“ with sincerity !

“ Thus having spoken, he brayed aloud ; upon which the washerman,
“ awakened by the sound, and enraged that his lazy slumber was inter-
“ rupted,

“ rupted, beat the afs violently with his washing ftick. Therefore, I
“ fay : He who talks, &c.

“ The bufinefs appointed for us both by our lord, is the hunting for
“ game, and let us talk of what belongs to us ; but of this incident there
“ is no occafion to talk ; we are both fed with a quantity of food, and
“ even a remnant is left. *Damànacà* answered, with anger : What,
“ doeft thou ferve the king for food only ! This was abfurdly faid.

“ For :

“ To benefit friends, and punifh enemies, a great man feeks the favour
“ of a prince ; not merely to fill his belly !

“ Yet more :

“ Such a life many lead ; and let fuch a man live : What ! does not
“ the crow fill his crop by means of his bill ?

“ See :

“ With five pana’s of fhells any man may procure attendance ; and
“ any man, by ftonger reafon, with a hundred thoufand ! But a fervant
“ who acts well, is not acquired by ten myriads.

“ Service is extremely odious in the human fpecies, who are all equal :
“ Can he who is not the chief in it, be numbered among living crea-
“ tures ?

“ Thus too it is faid :

“ Between

“ Between a horse, an elephant, and iron utensils ; between wood,
 “ stone, and cloth ; between man, woman, and water, there is an extreme
 “ diversity ; see also the difference between a master and a slave.

“ The dog belonging to him who gives him a cake of boiled rice,
 “ wags his tail, bends his legs, and falls on the ground, shewing his teeth
 “ and his belly ; while the princely elephant looks stedfastly, and with
 “ an hundred soft words, is, at length, only prevailed on to take such food
 “ as he likes.

“ Yet more :

“ That course which men pursue for a short time, but with lasting re-
 “ nown, never separated from learning, valour, and fame, this the wise
 “ truly call living ; not that of the crow, or raven, who live, indeed, long,
 “ and devour their food !

“ Again :

“ What is the distinction between a mere brute, and that man-beast
 “ who has no knowledge or thought of wrong, or right, whom the as-
 “ semblies of the learned in heavenly wisdom drive from their company,
 “ and who seeks only the gratification of his appetite.

“ Both of us now are without authority ; what have we then to do
 “ with this consideration ?

“ How long a time, replied *Damànacà*, is a counsellor acquiring repu-
 “ tation, or degradation ?

“ For :

“ Not

“ Not every person here below becomes great by his nature, or obedient, or wicked, or acquires the rank of spiritual guide, or his deputy ;
“ a man’s own efforts are what make him a man !

“ Yet more :

“ As a stone is raised with great labour up a mountain, but is thrown
“ down in an instant ; thus are our virtues acquired with difficulty, and
“ our vices with ease.

“ What then dost thou purpose ? said *Caràtacà*.

“ Of this *Pingalaca*, our master, said *Damànacà*, I would know by
“ what fear he was moved to return and lie quiet. What, said *Caràtacà*,
“ dost thou know of it ? What, answered he, may not be known by it ?

“ A meaning, well explained, is understood by a brute ; horses and
“ elephants, when driven, carry burdens ; but a skilful person understands what is not spoken ; a good understanding certainly reaps the
“ fruit of knowing another’s intention. I, therefore, by speaking of fear
“ in fit, or unfit discourse, will make this lion my own.

“ Since it is written :

“ He is truly wise who knows a speech adapted to the occasion ; a
“ friend naturally attached to him ; and resentment proportioned to his
“ strength !

“ My friend, said *Caràtacà*, it has long been observed by me, that
“ thou art very learned ; why then art thou unfit for service ?

“ Since it is said :

“ He

“ He who enters the chamber of his lord without being ordered ; who
“ talks much without being asked ; who confiders himself as a favourite,
“ has a dull understanding.

“ My good friend, said *Damànacà*, why should I be unfit for service ?

“ Observe :

“ What is there in its nature which is fair, or unfair ? What is pleaf-
“ ing to any one, that is beauty to him ?

“ Thus :

“ Whatsoever is the nature of any man, by means of knowing that,
“ a wife perfon enters into his heart, and soon lays him under an obli-
“ gation.

“ Yet more :

“ He who fays, Here am I, and order me in every thing ; and he
“ who performs what is ordered, as well as he is able, attaches his matter
“ to him.

“ Further :

“ He who difobeys the commands of princes, who pays no attention
“ to Brahmans, who fleeps with different women, is wounded and flain
“ without a weapon.

“ Still farther :

“ A minifter, who is fincere, learned, not covetous, continually at-
“ tending,

“ tending, like a shadow, not refusing any task imposed, he dwells in
“ the palace of a prince.

“ If thou goest, said *Caràtacà*, at any unseasonable time, our master
“ will be displeased with thee.

“ Be it so, said the other, yet a servant ought certainly to present him-
“ self.

“ Since :

“ To begin no work for fear of doing wrong, is the way of a bad
“ man : What man, my brother, would abandon food for fear of indi-
“ gestion ?

“ Again :

“ A prince favours a man who is nearest to him, though void of learn-
“ ing, of rank, and of probity.

“ To sum up all :

“ A king, a woman, and a creeping plant, alike twine round him who
“ stands by their side.

“ Let us see, said *Caràtacà*, what thou wilt say first, my friend, when
“ thou hast gone thither.

“ First, said *Damànacà*, I must know whether he is favourably, or un-
“ favourably, disposed. What means are there, said *Caràtacà*, of know-
“ ing this ? Hear, he answered.

“ By

“ By seeing him smile at a distance ; by the great regard shewn in
 “ questions ; by praising the absent ; by bringing agreeable events to re-
 “ membrance.

“ Again :

“ Favourable discourse to a servant ; presents that denote affection ;
 “ even in blaming faults, taking notice of virtues ; these are the manners
 “ of a kind master.

“ It is also said :

“ By taking up the whole time of a servant ; by encreasing expecta-
 “ tion ; by denying reward ; a sensible man knows this to be the conduct
 “ of an ill-disposed lord.

“ When I have well considered all this, the lion will become docile to
 “ my purpose ; then will I speak.

“ Since :

“ The wise exhibit, as clearly as if it were displayed before our eyes,
 “ the doctrine belonging to the science of ethicks. That danger arises
 “ from pointing out evil, and success from pointing out a remedy.

“ Still, my good friend, said *Caràtacà*, it is not proper for thee to
 “ use unseasonable discourse.

“ Since :

“ If *Vribaspati* himself were to speak unseasonably, he would meet not
 “ only with loss of reputation for sense, but with disgrace.

“ *Damànacà*

“ *Damànacà* having considered this, said : Fear not, friend, I will not
“ speak an unseasonable word.

“ Since :

“ In imminent danger, in the pursuit of evil objects, in a season un-
“ propitious for action, a servant who seeks the love of his master, must
“ speak even without being asked ! If, therefore, I must not speak on
“ such a proper occasion, my office of counsellor is reduced to nothing.

“ Since :

“ Applause is given by good men to him who shews munificence ; and
“ that virtue should be preserved and augmented by him who possesses it.
“ Consent, therefore, brother : I go, that I may prosper in my business.

“ Happiness attend thee, said *Caràtacà*, and may what thou desirest be
“ attained !

“ *Damànacà* then went towards the lion with a timid air ; and when
“ *Pingalaca*, from a distance, ordered him, with kindness, to enter the
“ cave, he made a respectful bow with his whole body, and sat down.
“ Son of my counsellor, said the king, it is long since thou hast appeared
“ before me. Sir, said he, great princes have no need of a servant like
“ me, yet every servant, on a proper occasion, must present himself before
“ his lord : for this reason I come.

“ But :

“ They, by whom the earth, abounding with sweet scents, and lofty
“ elephants, and cut with an hundred weapons, cast in fields of battle, is

“ continually delighted, when even they approach their monarch, their
“ words falter as if their great fear had cut them in pieces ! Here cer-
“ tainly there is need of such dread, for very good reason.

“ As it is said :

“ Great lords have need of a little instrument to rub their teeth, and
“ to tickle their ears.

“ Oh ! what need must they have of a man who has speech and hands ?

“ And if my lord thinks, that by my coming late I have lost my un-
“ derstanding ; that is not the case.

“ Since :

“ A gem is worn on the feet, and glass is raised on the head : as it is,
“ so let it be ; yet glass is glass, and a gem, a gem.

“ Again :

“ Loss of sense is not to be imagined in a firm-hearted man, improp-
“ erly repulsed : fire may fall down, but the flame descends not with it
“ for any considerable time.

“ Sir, a master must make distinctions ; when a prince, without dis-
“ tinguishing good servants from bad, behaves equally to all, then is the
“ satisfaction of those who worked with content reduced to nothing.

“ Three sorts of men, O king ! the highest, the middle, and the lowest,
“ let their master exercise alike in three sorts of employment.

“ Thus

“ Thus too :

“ Men employ servants, and wear ornaments in a proper place ; a
“ jewel for the head, is not fixed on the feet : thus is the matter under-
“ stood.

“ Still more :

“ If a gem, aptly made for an ear-ring of gold, be set in brass, it neither
“ moves with a pleasing sound, nor makes a beautiful appearance, but
“ brings reproach on the jeweller.

“ Observe :

“ This man is wise, or well affected ; here are both qualities : this is a
“ fool : a prince, thus knowing how to consider his servants, abounds
“ with good ones.

“ Yet :

“ A horse ; a weapon ; a book ; a lute * ; speech ; a man ; and a wo-
“ man ; all these, according to the distinction of the persons in whose
“ hands they fall, are useless, or valuable.

“ Besides :

“ What use is there in a favourite without valour ? What in a hero
“ without good conduct ? Me, who am both dear to thee, and able to
“ serve thee, O king ! thou shouldest not despise.

* Vina.

“ Since :

“ Since :

“ From the prince's disregard, his family of attendance become un-
“ intelligent ; then, on this account, not one man of sense remains near
“ him : when a prince is deserted by the wife, his morals are not vir-
“ tuous ; and when his morals are corrupted, the whole nation is en-
“ feebled, and receive detriment.

“ Yet more :

“ All countries constantly respect those who are respected by the
“ prince ; but he who is disgraced by the king, is disgraced by all.

“ Farther still :

“ Apt words must be taken by the wife even from a child : when the
“ light of the sun disappears, what is not the lustre of a torch ? We are
“ true servants, favoured by great monarchs, and our conduct is not
“ altered.

“ My good friend, said *Pingalaca*, why dost thou say this ? Thou art
“ the son of my chief minister, and yet, from some bad report, hast not
“ come to me for so long a time ; now, since thou art come, speak as thy
“ mind prompts thee. Sir, said *Damànacà*, I ask one question : When
“ thou soughtest the river, why didst thou return without drinking
“ water, like an affrighted person ?

“ The lion answered : It is aptly said, my good friend ; who of my
“ people is there to whom my secret should be told ? Where is there a
“ place to speak with confidence ?

“ Never-

“ Nevertheless :

“ I tell thee ; hear : This forest is inhabited by large beasts, and should
 “ therefore be forsaken by us. Was not a loud noise heard by thee ?
 “ The animal must be of enormous force, if his strength be equal to the
 “ found of his voice.

“ Sir, said *Damànacà*, this is certainly a great cause of dread, for I
 “ have heard the noise ; but what sort of a counsellor would he be, who
 “ should immediately advise a desertion of the country, or a commence-
 “ ment of hostilities ?

Besides :

“ It is the duty, sir, of servants, to find a resource ; for a man knows
 “ the pre-eminence and superior goodness of a friend, a woman, a set of
 “ servants, his own understanding and strength, by trying them with the
 “ touchstone of danger.

“ My friend, said the lion, a great fear made me indisposed. If it
 “ were not so, said *Damànacà* to himself, how wouldest thou, leaving
 “ the delight of reigning, converse with me. Then he said aloud : Sir,
 “ as long as I am alive, so long there is no ground of fear ; but *Caràtacà*,
 “ and your other servants, may also be depended upon, since a multitude
 “ of men could hardly be found more serviceable in avoiding danger.
 “ The king said : Go thyself, and bring *Caràtacà* with thee. *Damànacà*
 “ did so ; and both of them were honoured by the king with all sorts
 “ of precious gifts ; and having determined on the means of avoiding
 “ an alarm, they departed. *Caràtacà*, going along, said to *Damànacà*,
 “ How this danger can be avoided, or whether it can at all, is unknown
 “ to me ; yet, how else can the great promised favour of the king be at-
 “ tained ?

"tained? For without having done a good act, let no one take a present,
"especially from a king.

"Observe:

"A prince, whose favour is prosperity, in whose valour is conquest,
"and in whose anger is death, is all glorious.

"A king, whether a man or a child, must not be treated with
"contempt: in him certainly a great divinity appears in human
"shape.

"My friend, said *Damànacà*, laughing, take the protection of silence,
"and be still.

"The cause of this alarm was even before known to me; it is the
"lowing of a bull, and bulls are food for us; I might say, of a lion
"also.

"If it be so, said *Caràtacà*, why is our lord broken down with
"fear?

"We must not speak in this manner, said *Damànacà*; if we quiet his
"fear, how are we to acquire this singular kindness?

"Yet more:

"A master must never be allowed to think the assistance of his ser-
"vants unnecessary. A servant who allows a king to perceive this,
"would be like *Dedtucarna*. How, said *Caràtacà*, was that?

"There

“ There is, said *Damànacà*, in the mountain called *Arbuda*, a lion,
 “ named *Mahavicarma*, or great in valour ; when he was asleep in the
 “ hollow of that mountain a rat gnawed the ends of his hair, which the
 “ lion having perceived, was enraged, but could not catch the rat, who
 “ returned to his hole ; he therefore said within himself, What must be
 “ done ? Since it is so, be it so : it has been heard by me, if an enemy
 “ be little, let him go, he is not an object for valour ; to kill him, let
 “ a combatant equal to himself be appointed.

“ Having settled this, he went, at night, to the village, brought back,
 “ with great care, a cat named White-ear, to whom he gave meat, and
 “ kept with great attention in his den. The rat, through fear of the cat,
 “ never came out ; and the lion, from that time, without having his hair
 “ gnawed, slept comfortably : whenever he heard the rat cry, he indulged
 “ the cat with excellent meats, and other gifts. One day, when the rat,
 “ perished with hunger, came out of his hole, he was caught, and killed
 “ by White-ear : some time after, when the lion had not for a long time
 “ heard the voice of the rat, his indulgence for the cat was at an end,
 “ and he gave him no more food, so that White-ear became feeble,
 “ languid, and like a dead animal : for this reason I say, A master must
 “ not be independent of his servants.

“ The two shakàls then went to *Sanjivaca*, and *Caràtacà* seated him-
 “ self in state under a tree, while *Damànacà* went to the bull, and said :
 “ O bull ! art thou placed here by king *Pingalaca* to guard the forest ?
 “ The general requires your attendance, come speedily, or depart from
 “ this wood, otherwise thou wilt gather unpleasant fruit. The bull, ig-
 “ norant how the country was governed, went with fear, and saluted
 “ *Caràtacà*.

“ Thus the wise man says :

“ Wisdom

“ Wisdom is greater than strength ; by not possessing it, the condition
 “ of the elephant is such, that even the drum sounds, proclaiming that
 “ the elephant is beaten by his driver.

“ General, said *Sanjivaca*, how must I act? Advise. If thou hast
 “ any desire, answered *Caràtacà*, to remain here in the forest, go and
 “ bow before the lotus of our monarch’s foot. The bull replied: Tell
 “ me, then, there is no danger in doing so, and I go. Your apprehension
 “ is vain, said *Caràtacà*.

“ For :

“ The violent gulf tears not from the roots the soft grass which lies
 “ low, and bends beneath it ; while it shatters lofty trees : great strength
 “ is exerted on the great.

“ Then, both *shakàls*, making *Sanjivaca* stand at a distance, went to-
 “ wards the lion, and saluting him, were treated by him with regard,
 “ and sat down. Have you seen him? said the king. We have, sir,
 “ answered *Damànacà* ; he is gentle, but, as our lord imagined, excessively
 “ strong, and he now desires to see the foot of our sovereign ; therefore,
 “ adorn thyself, and sit in state.

“ Since :

“ The bank is worn away by the river-water ; and a secret not kept,
 “ is dispersed ; affection is overcome by treachery, and a timid mind by
 “ bold words !

“ Thy strength, formerly exerted, is not fit for this purpose.

“ For :

“ For :

“ A noise only, when the cause of it is unknown, must not be dreaded;
 “ yet by discovering the cause of an alarming noise, a woman of evil
 “ fame acquired reputation. How, said the lion, was that ?

“ In the middle of *Sripurvata* mountain, said *Damànacà*, is a town
 “ called *Brabmapura*, and on one side of its summit (according to the
 “ popular story) lived *Guatacarna*, or Bell-ear, a *Rac'shasa* (or cruel
 “ demon). One day a thief, escaping from a house in which he had
 “ stolen a bell, was killed, and eaten by a tiger on the top of this moun-
 “ tain ; and the bell, which had dropped from his hand, was taken up by
 “ some monkeys, who from time to time made it sound.

“ The people of the town having discovered that a man had been
 “ killed, and hearing continually the noise of the bell, said, that *Guata-*
 “ *carna* had in his rage eaten him, and they all fled from the town.
 “ It came into the head of a female pander, that the bell was only
 “ founded by monkeys ; and she went to the prince, saying, If you will
 “ advance me a large sum of money I will make the demon quiet. The
 “ king gave her a treasure, and she, having paid adoration to a certain
 “ quarter of the globe, made idols, and formed circles, acquired great
 “ reputation for sanctity ; she then took such fruits as monkeys love,
 “ and having entered the forest scattered them about, which the monkeys
 “ perceiving, quitted the bell, and eagerly devoured the fruits. The
 “ woman took up the bell, and went with it to the palace of the king,
 “ where all the people did her reverence. Hence I say : A noise, &c.

“ *Damànacà* then introduced the bull to the lion, and for some time he
 “ lived there in amity with the other favourites. One day a brother of
 “ the king's, named *Stabdacarna*, or Bent-ears, came on a visit, and the
 “ monarch having desired his guest to sit down for a time, afterwards

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“ proposed

“ proposed going out to kill some deer for their food. Sir, said *Sanjivaca*,
 “ where is the flesh of all the deer that were killed this morning ?

“ The king answered : *Caràtacà* and *Damànacà* know best. Is there
 “ any, or is there none ? said the bull. There is none left, said the
 “ lion, laughing. Why, said *Sanjivaca*, could they two have eaten so
 “ much flesh ? They have eaten and given away liberally, and wasted
 “ the rest : this is their daily practice. Why, said the bull, is this done
 “ without the permission of their lord ? It is so, said the lion, what of
 “ that ? Sir, said *Sanjivaca*, this is a great fault.

“ For it is written :

“ Let not a servant do any act without the knowledge of his master,
 “ except it be to deliver a prince from death !

“ Again :

“ A king's minister is like a flagon, he receives much, and lets out
 “ little ; if he says *another time*, he is a fool ; if, what is a cowry, he must
 “ be poor.

“ Yet more :

“ His minister is ever the highest, who encreases his store with twenty
 “ croire : wise men have called the king's treasure his life, and his vital
 “ spirit, no life.

“ Besides :

“ A man of worth acquires service from worthy men ; a poor man is
 “ deserted even by his own wife, much more by strangers !

“ This

“ This too is a great fault in princes :

“ He who spends much, not observing it, and acquires wealth by iniquity, while he keeps the treasure in a remote place, is called the treasury's bane !

“ For :

“ He who perceives not the treasure that is quickly amassed, and consumes it at his pleasure, most certainly would reduce it to nothing, if he were as rich as *Vaiśrava* ! (Cuvera) Plutos.

“ Then *Stabdacarna* spoke : Hear, brother :

“ These two shakals have long been protected by thee : they were appointed for the affairs of peace and war, and stationed for that business, not for the purpose of amassing wealth. On the subject of ministers, I will now repeat whatever I have heard.

“ 1. A servant, a soldier, a kinsman, are not fit to be at the head of every employment ; a priest, even with torture, gives not money to any one.

“ 2. A soldier employed in pecuniary matters, instantly shows his face ; and a kinsman, on that account, swallows up all thy wealth.

“ 3. A servant, though he hate his master, acts the part of a blameless man ; if he has once done good, and continues in his place, he thinks not of his offences.

“ 4. He who points out the good he has done, snatches every merit away.

“ 5. While

“ 5. While a minister, O king ! is playing with sand, he, in fact, governs ; from his familiarity, no doubt, aversion is constantly produced.

“ 6. When a minister, wicked in heart, is employed, he no doubt causes all sorts of evils.

“ 7. A servant, however culpable, is yet void of fear, if he be long employed. Let every minister, how rich soever, be himself without power. This is the advice of great men : wealth overcomes the mind.

“ 8. To receive favour, and to alienate the property of the prince ; to obtain friendship, and then to desert him ; to act without wisdom in his affairs ; and to eat his bread ; these are the faults of a minister.

“ 9. To think of acquiring the employment of a fellow-servant ; to be always watching the prince, that his wealth may be securely dissipated ; this is wicked conduct.

“ 10. Bad servants do not, without torture, vomit up the precious things of their lord, which they have swallowed ; in short, they are like obstinate tumours, that must be pressed before they will properly discharge.

“ 11. By wringing a bad servant, the dominion of kings may yield something, as a cloth that is washed, yields plenty of water when it is wrung.

“ When *Pingalaca* heard these maxims, he said : Be it so ; whenever these two servants shall cease on all occasions to obey my word. This, said his brother, is always a foolish rule, for a king must not pardon even his sons, who disobey his orders : What else is the difference between a living and a painted king ?

“ And

“ And it is added :

“ Let a king who has arbitrary power, preserve his people, like a father, from robbers, from his ministers, from enemies, and from the royal family.

“ Brother, let all my advice be followed, I have had my food to-day ; let this *Sanjivaca* be employed to provide his own food of grass. This being done, they deserted all other connections, and their time passed in cordial friendship ; but the other servants, seeing their allotment of food diminished, *Caràtacà* and *Damànacà*, talked privately with each other. My friend, said *Damànacà*, what is to be done ? This is our own fault ! And vexation is absurd, on account of evils which ourselves have occasioned.

“ As it is said :

“ I, having touched *Swarnarecha*, the bad woman having tied up herself, and the good man trying to take the jewel, were all three miserable by our own fault. How, said *Caràtacà*, was that ?

“ In the city called *Canchanapura* (Golden Town), said *Damànacà*, was a king named *Viravicrama* ; when he was in his court of justice, a certain barber was taken, by his order, to the place of execution ; at that time a devout man, named *Candarpacata*, accompanied by a man of worth, cried out : This man must not be put to death ; and seizing the skirts of his cloaths, he drew the criminal away. The king's officers said : Why should he not be killed ? He answered : Hear ; and then repeated this verse. I, having touched *Swarnarecha*, &c. &c. The officers asked how that happened ?

“ I am, answered he, *Candarpacata*, king of the island called *Sin-*
“ *baladwipa* ;

“ *baladwipa* ; one day standing in a pleasure grove, I heard a man assert,
 “ that in the middle of the sea of milk was a damsel, who, on the four-
 “ teenth day of the moon, appeared under the Tree of Ages on a couch of
 “ a splendid yellowish hue, bedecked like the Goddess of Abundance, with
 “ all kinds of ornaments, and playing on the Vina. I therefore embarked
 “ in a ship, and went to the place mentioned ; where, after a time, I saw
 “ the sea-nymph rising, half out of the water ; and, allured by her ex-
 “ quisite beauty, I leaped behind her. Then, having in an instant
 “ reached a golden city, and a palace of gold, I saw her reclining on a
 “ couch, caressed by a number of fairies, and when she perceived me
 “ from a distance, she sent a damsel, who addressed me courteously ; on
 “ my enquiry the damsel said : That is the nymph *Ritramayna*, or
 “ adorned with gems, the daughter of *Candarpacali*, queen of the fairies.
 “ After this I was married to her, according to the ceremony of the *Gan-*
 “ *darva*’s (by exchanging necklaces), and continued a long time delighted
 “ with her. One day she said to me in private : My beloved husband,
 “ all things in this palace may be freely enjoyed by thee, but beware of
 “ touching, even for a moment, that picture of the fairy *Swarnarecha*
 “ (or decorated with gold). Nevertheless, some time after, my curiosity
 “ growing to a height, I was induced to touch the bosom of the painted
 “ fairy ; when the picture, becoming animated, struck me with her foot,
 “ like a lotus flower, and I fell down instantly on the earth ; since which
 “ time I have been a miserable wanderer, travelling over the world, and
 “ at length arrived in this city. Last night I slept in the house of a
 “ herdsman, where I saw this adventure : The herdsman returning at
 “ night from the field where his cattle grazed, surprized his wife in con-
 “ sultation with a barber’s wife, a woman of bad fame ; when, having
 “ beaten her, and tied her to a post, he fell asleep. At midnight the
 “ wife of this barber went with deep sighs to her female friend, and said :
 “ Thy noble lover, consumed by the fire of thy absence, is now like a
 “ dead man.

“ For :

“ For :

“ As in the night darkness is kept at a distance, by the lord of shades,
 “ (the moon), thus love by seeing, and being seen, delights the heart of
 “ the young.

“ Let me tie myself, and stay here while you go and console thy
 “ lover with thy discourse. This was done : when the husband waking,
 “ said : Why, thou wicked wretch, dost not thou now go to thy favourite ?
 “ The woman making no answer, he said in anger : Dost thou not give
 “ an answer to my words ? And saying this, he went in a violent rage,
 “ and having slit her nose, returned to his bed, and fell asleep. His wife
 “ then came home, and spoke thus to the procurefs : My friend, what is
 “ the matter ? Look, answered she, my face will tell you ! The herds-
 “ man’s wife then bound herself, and the woman went home. Early in
 “ the morning the barber ordered his wife to bring him a bundle of
 “ razors, and she gave only one ; on which he said : Do you bring me
 “ but one razor ? and in a passion threw it away. When she, counter-
 “ feiting pain, said : You have cut my nose, without my having committed
 “ any fault ; and immediately ran to demand justice. In the mean time
 “ the herdsman’s wife was crying out : O cruel man, what a crime hast
 “ thou committed ! Why hast thou mutilated me, who have ever been
 “ thy constant wife ; as the eight regions of the world know ?

“ Besides :

“ The sun and moon, wind and fire, heaven and earth, and water, to-
 “ gether with both day and night. All these with certainty know the
 “ condition of man. If I am faithful, then by the favour of the genii of
 “ those eight regions, and of the god *Camadeva*, my mangled nose will
 “ grow again, and my face will become bright as the pure moon of the
 “ cold season. Look at my face : the herdsman took a candle, when
 “ seeing

“ seeing her nose restored, fell at her feet, and was highly delighted in
 “ his heart, untied her, and seating her on the middle of the bed, said :
 “ He who possesses such a wife is chief among men !

“ Hear now the story of the good man : Having spent twelve years in
 “ travelling, came to this city, having brought a number of jewels from
 “ the neighbourhood of the *Malaya* mountains. Here he slept in the
 “ house of an harlot, who kept on the gateway a carved image of a
 “ devil, on whose head was placed a beautiful gem. The devotee,
 “ through a culpable desire of possessing this gem, rose in the night, and
 “ in order to take it, stretched out his hand ; in that instant, a spring
 “ being moved, both his arms were caught by the image, and he was
 “ pulled to the ground ; when he set up a cry of distress. The woman
 “ rose, and spoke thus : My son, thou art come from the *Malaya* moun-
 “ tains : therefore give me all thy jewels, or thou wilt never be loosened
 “ by this malignant devil. Then were taken away all the jewels well
 “ collected by me. All this being heard, the king’s officers did justice
 “ according to the merit of each cause. Now I say : I, having touched
 “ *Swernarecha*, and so forth.

“ This fault, therefore, was committed by ourselves ; and in this case,
 “ vexation would be absurd. Then having been a short time silent, As
 “ I formed, continued he, the friendship of these two, I must break it.

“ For :

“ Good counsellors shew what is false, as well as what is true ; as men
 “ know an object to be painted, whether they are on a level with it, or
 “ below, or above it :

“ Besides :

“ The

“ The man whose understanding is not diminished, when business
 “ arises, wards off difficulties like the herdsman’s wife, and her two
 “ lovers. How, asked *Caràtacà*, was that? *Damànacà* answered, In the
 “ town of *Dwaravati*, there is a certain herdsman’s wife who is a har-
 “ lot, and she is connected, at the same time, with an officer of justice,
 “ and his son :

“ As it is said :

“ The fire is never satisfied with wood, nor the ocean with rivers,
 “ death with mankind, nor bright-eyed women with lovers.

“ Once, as this woman was diverting herself with the son of the officer,
 “ the officer himself came to visit her; she hastily put the son into a
 “ closet, and then sat sporting in the same manner with the father. Soon
 “ after, the herdsman himself came: seeing whom, she said, Now, Sir,
 “ what must be done? take up your staff, and go away quickly, seeming
 “ to be greatly enraged. This being done, the herdsman asked his wife,
 “ on what account the officer of justice had come: He was angry, said
 “ she, with his son, I know not why; and he, being pursued, came into
 “ our house, and I have hid him in that closet; his father not finding
 “ him, is gone away in a rage; saying this, she brought out the young
 “ man, and shewed him to her husband.

“ Thus it is said :

“ Women have the appetite of two, the understanding of four, the
 “ cunning of six, and the desire of eight.

“ Therefore I said, When business arises, &c.

“ It is so, said *Caràtacà*, but the friendship of these two is great by
 VOL. VI. M “ nature :

“ nature : How canst thou dissolve their intimacy ? Some expedient, answered he, must now be contrived :

“ And it is said :

“ What cannot be achieved by force, that, may be performed by stratagem, as the black serpent was slain by the golden thread of the female crow.

“ How, said *Caràtacà*, did that happen ? On the top of a certain tree, said *Damànacà*, lived a male and female crow, whose young ones were devoured by a serpent living in the hollow of it. When the female was again pregnant—Husband, said she, this tree must be quitted by reason of this serpent ; or not one of our young ones will live :

“ Since :

“ A bad wife, a deceitful friend, a servant giving faucy answers, and dwelling in a house infested by serpents ; these without doubt are causes of death.

“ My beloved, said the male, we must not continue in this fear : from time to time I have borne with this horrid crime ; but now he must be punished. How, said the female, canst thou be a punisher of so powerful an offender ? This apprehension, answered he, is vain :

“ Hear :

“ He who has knowledge has force ! What strength has a fool ? See how a lion intoxicated was killed by a stag !

“ How, said she, did that happen ? He answered : In the mountain,
“ named

“ named *Mandara*, dwells a lion called *Darganta*, who hunts the other
“ beasts, and kills great numbers of them for his food. All the beasts
“ being assembled, he was thus addressed by them: Why are so many beasts
“ killed by thee? We will give you one every day in our turns for your
“ food: so many ought not to be slain by thee. Be it so, said the lion,
“ and all of them, one by one, for his food, daily gave a beast.

“ On a certain day, when the lot fell upon an old stag, he thus thought
“ within himself:

“ For the sake of our own souls, and in hope of life, homage is paid:
“ but if I must meet this fate, what need have I to respect the lion! He
“ moved, therefore, slowly, step by step; and the lion, tormented by hunger,
“ said to him, angrily, Why dost thou come so late? It is not my fault, said
“ he; for in the way I was forcibly seized by another lion; 'till I swore to
“ the necessity of my coming to you; and now I approach thee with sup-
“ plication. The lion having heard this passionately, said, Where is that
“ audacious animal? The stag led him near a deep well, and said, Let my
“ lord behold. Then the lion seeing his own image in the water, proudly
“ roared, and throwing himself down with rage, perished in the well:
“ thence, I say, Who has knowledge, &c.

“ I have listened attentively, said the female crow; therefore, now de-
“ clare what is to be done. The king's son, said the crow, goes con-
“ stantly to bathe in the adjacent pool; do thou take up his necklace of
“ gold, which he will pull off, and lay on the bank, and drop it into the
“ hole of the serpent, who will, in consequence, be destroyed. It hap-
“ pened, accordingly, that the prince went to bathe, and the female crow
“ did as she was directed; so that the prince's attendants going after the
“ necklace, saw the black serpent, and killed him: Hence I said, What
“ cannot be achieved by force may be performed by stratagem.

“ If

“ If it be so, said *Caratàcà*, go, and may fortunate events be the companions of thy way.

“ *Damànacà* then approaching the lion, and paying homage to him, said : Having formed a very unpleasant opinion, my lord, I presume thus to address you.

“ For :

“ In danger from going out of the way, and when the time of action is nearly lost, then a benevolent friend, though unasked, gives good counsel.

“ Again :

“ A king possesses fortune, but does not possess the means of acting wisely : by the ruin of a king his minister is criminated. See, therefore, what is the business of a counsellor. It is better to lose life by decapitation, than to desert a prince, and criminally seek to gain his dominion.

“ What, said the lion, mildly, dost thou wish to say ? *Damànacà* answered : This *Sanjivaca* is not a fit minister for thee, since, in my presence, he treated thy three powers (wealth, strength, and wisdom) with contempt, and he even aspires to thy throne. *Pingalaca*, hearing this, remained silent with fear and astonishment. My lord, added *Damànacà*, thou hast forsaken all thy counsellors, and chosen this animal to transact all thy affairs ; the blame therefore falls heavy on thyself.

“ Since :

“ Fortune stands firm, having fixed herself on two feet, an exalted prince,

“ prince, and a good minister ; but as she is a female by nature, she cannot bear the weight on her shoulders, and soon leaves one of her two supports !

“ Again :

“ When a king appoints one minister to act in his kingdom, pride, from the error of his mind, seizes him ; the desire of arbitrary power advances in a high degree in his breast, and through that desire he proceeds to the destruction of the prince.

“ Besides :

“ It is better to pull up by the roots a loose tooth, an envenomed servant, and a wicked counsellor.

“ So :

“ A king who makes Fortune his instructress, is as miserable when he falls into calamity, as a blind man without a guide.

“ It is also added :

“ A vizir, although not a man of probity, is always at least rich : this is the rule of some men.

“ Riches are gained differently by reason.

“ This bull acts in all affairs by his own arbitrary pleasure ; let the king, therefore, be a witness of this truth.

“ This

“This I know : but as the is a female, and a good minister ; but as she is a female, and a good minister ;

“not bear the weight on her shoulders, and soon leaves one of her two

“ Among men, he is not a man who does not enjoy fortune.

“ The lion said, with uneasiness : My good friend, if it be so, yet I
“ have a great love for the bull.

“ Observe :

“ He who is beloved, and commits faults, is nevertheless beloved ;

“ but that body is clothed with many crimes, for which there is no re-

“ gard.

“ Besides :

“ He who is dear, though he do unpleasant things, continues dear.

“ Though an excellent house be burnt, yet who doth not venerate fire ?

“ But, sir, said *Damànacà*, that is a grievous fault.

“ Since :

“ That man whom the king looks upon with attention, whether he be

“ a son, a minister, or a stranger, is honoured.

“ Hear, sir :

“ The *end* of pleasant, or unpleasant advice, is full of delight ; but

“ wherever a speaker, and a hearer of it is, there dangers abide :

“ Again :

“ Men

“ Men who speak only, O king ! are easily found in the world ; but
“ he who both speaks and hears what is pleasant and unpleasant, is hard
“ to be found !

“ Thou hast forsaken thy former advisers, and appointed him their
“ successor, and thy vice-gerent ; which was improperly done ; for when
“ old servants offend, let not a prince hastily appoint others ; no one is
“ more adverse than a new one, who will ruin the realm.

“ How wonderful, said the lion, is this ! He has given no cause for
“ such dread, but was brought and raised by me : how should he be ad-
“ verse to me ?

“ Hear, my lord, said *Damànacà* :

“ A bad man, though raised to honour, always returns to his natural
“ course ; as a dog's tail, though warmed by the fire, and rubbed with
“ oil, retains its form.

“ Besides :

“ How should promotion and honour occasion the friendship of wicked
“ men ! Although poisonous trees were watered with nectar, yet they
“ would bear dangerous fruit.

“ Therefore I say :

“ A man who desires not the ruin of his master, will speak what
“ friendship requires, though unasked : that is the duty of the virtuous ;
“ other conduct is a violation of duty.

“ Thus

" Thus, too, it is written :

" He is a friend, who delivers thee from adversity.

" That is a good action, which is well intended.

" She is a wife, who is an inseparable companion.

" He is wife, who honours the good.

" He is a friend, whom favours have not purchased.

" He is a man, who is not subdued by his senses.

" If my lord, therefore, being apprised of the bull's conduct, shall not
" cease from employing him, no fault remains in his servants.

" Yet it is true, that a luxurious prince makes no account of good
" works, or his own advantage ; he acts at his own discretion, and moves
" like a drunken elephant ; till, having consumed his honour, and fallen
" into many miseries, he casts the blame on his servants, and knows not
" the fault to be his own.

" *Pingalaca* said, within himself : Let not a prince punish men from
" the words of others ; let him examine into facts himself, and then im-
" prison, or dismiss with respect.

" Thus it is said :

" Without distinguishing virtues, or vices, let neither favour be granted,
" or severity used ; as a hand placed with pride on the nest of a serpent
" occasions destruction.

" Then

“ Then, speaking aloud, he said : Let *Sanjivaca* be brought before me.
“ *Damànacà* answered, trembling : No, sir, not so ; by that step my ad-
“ vice will be broken ; it is an improper measure.

“ Since the wife say :

“ The seed of good advice must be cherished by princes with extreme
“ care ; it must not be broken ever so little, if it be, it will not grow.

“ Again :

“ Advice is like a woman, ever in motion ; all parts of the body are
“ guarded, if it cannot remain long fixed, there is fear of defeat from
“ enemies.

“ Besides, if the bull, seeing his fault, should amend it, no reconcilia-
“ tion must take place ; that would be extremely absurd.

“ Since :

“ If a man has once offended, and the prince, through affection, de-
“ fires to be reconciled to him, he meets his fate like a female crab, when
“ she is pregnant.

“ Again :

“ A man, compleatly wicked, employed as a counsellor, will certainly
“ be the perpetrator of all evils : *Sacune* and *Sacatara* remain two ex-
“ amples in the world of this truth.

“ Be it known to thee, said the lion, after all, what he is able to effect
VOL. VI. N “ against

“ against us. Sir, said *Damànacà*, how can there be a certain knowledge
 “ of strength, without knowing the force of union? See how the sea
 “ was reduced by a mere cock! How, said the lion, did that happen?
 “ Near a certain sea, said *Damànacà*, lived a cock and a hen; when the
 “ hen was near laying, she thus addressed her lord: Let a proper place
 “ be procured to deposit my eggs in. O! said he, there is nothing to
 “ fear in this place. It is often covered, said she, with the waves.
 “ What! said he, my good friend, am not I superior to the sea? Ob-
 “ serve, I will contend with this ocean, and remain in my station. The
 “ hen smiled, and said: There is a great disparity between the ocean and
 “ thee.

“ Yet:

“ He who knows how to subdue his grief, whether he can relieve it
 “ or not, is never tormented by anguish.

“ Then, by the persuasion of her lord, she laid her eggs; which the
 “ sea, for the sake of trying the cock’s power, washed away. Upon this,
 “ the hen, afflicted by the loss of her young, said to her husband: A
 “ dreadful evil, sir, has befallen me; the sea has washed away my eggs.
 “ My beloved, said he, fear not, thou wilt at length behold me possess-
 “ ed of power. So saying, he assembled multitudes of the feathered
 “ race; and with them forming a flock, went to *Garuda*, the king of
 “ birds, to whom he related the whole adventure; adding: Does my
 “ king only fall at his feet there! No, by the weakness of the protector,
 “ the protected certainly become weak. *Garuda*, having heard this ad-
 “ dress, gave information to his lord, *Vasudeva*, the cause of creation,
 “ preservation, and destruction. After which, the ocean raising the
 “ mandate of the God on his head, in token of obedience, gave back the
 “ eggs.

“ Thence,

“ Thence, I say, how can there be a certain knowledge of strength,
“ without knowing the force of union ?

“ How, said the king, is he to be proved of an hostile nature to me ?
“ When he shall come before thee, said *Damànacà*, goring with the point
“ of his horns, and raising his tail, as if he was fearing of harm, then my
“ lord will know. Saying this, *Damànacà* went near *Sanjivaca*, stealing
“ along, little by little, put on the appearance of amazement. When the
“ bull saw him, he said with courtesy : My good friend, is it well with
“ thee ? How, answered *Damànacà*, can it be well with servants ?

“ For :

“ The wealth of those who serve princes is dispersed by another ; and
“ their minds always discomposed : even their life is insecure.

“ Again :

“ Who, having acquired wealth is not arrogant ? Whose danger, when
“ he is attached to a king, can be reduced to nothing ? Whose mind in
“ the world is not tormented by women ? Or who is really beloved by
“ princes ? Who rushes not into the open arms of time ? What suppliant
“ attains reverence ? Or what man, having fallen into the snares of the
“ wicked, can regain prosperity ?

“ My friend, said the bull, what means all this ? *Damànacà* answered,
“ What do I say, unfortunate as I am !

“ Observe :

“ When a man fallen into the sea has grasped a support, and finds it
“ a serpent ; he cannot leave it, he cannot hold it :

“ Thus

“ Thus am I distressed at present ; for, on one side, the king’s confi-
 “ dence perishes ; on the other, my friend : What can I do ? Whither can
 “ I go, fallen as I am, into a sea of misery ? So speaking, and heaving a
 “ deep sigh, he sat down. Then *Sanjivaca* spake : Yet, my friend, let
 “ that which thy mind has conceived, be declared at large : *Damànacà*
 “ counterfeiting sorrow, spoke in a low voice : Although the secret of a
 “ king is not to be disclosed, yet, through confidence in me, thou camest
 “ hither, and here hast remained. Therefore, I, who am a suppliant to
 “ strangers, must necessarily speak through affection to thee : Hear then :
 “ The mind of this prince is alienated from thee ; he said, secretly, When I
 “ have killed *Sanjivaca*, I shall satisfy all my family with food ! Upon this,
 “ the bull was excessively afflicted, and the shakàl again spake : Thy grief
 “ is vain ; at a seasonable time some great act must be achieved ! *Sanji-*
 “ *vaca* having thought anxiously for a moment, answered, This is kindly
 “ said, no doubt ! And then he thought within himself, how the truth of
 “ this business might be ascertained :

“ For :

“ Many a bad man receives lustre from the goodness of his protector,
 “ like the black powder rubbed on the eye of a beautiful woman.

“ Still farther :

“ A prince attended with great care, insures not happiness : What won-
 “ der is there in that ? He, indeed, is an extraordinary person, who, being
 “ diligently served, becomes an enemy.

“ Therefore, the duty of a servant is endless.

“ He who for some cause is angry, becomes mild when that cause is
 “ removed ;

“ removed ; but he whose mind is rancorous without cause, how can
“ such a man have any reason to be pleased ?

“ Then he said aloud : My friend, what offence have I given to the
“ prince ? Yet princes commit injuries without cause ! Even so, said
“ *Damànacà*.

“ Yet hear :

“ Though good is done by the learned or the handsome, yet a little
“ hatred is occasioned through envy ; and though they injure you to your
“ face, yet they meet with friendship from the misapprehension of royal
“ minds, who are subservient to more than one nature.

“ The office of an attendant on them is extremely difficult, and not
“ to be performed even by saints.

“ Again :

“ A hundred good works are lost upon the wicked ; a hundred wise
“ words are lost upon fools ; a hundred good precepts are lost upon the
“ obstinate ; a hundred sciences upon those who never reflect.

“ Yet more :

“ In the sandal-tree are serpents ; in the waters, lotus-flowers, but
“ crocodiles also ; even virtues are marred by the vicious ; in all enjoy-
“ ments there is something which impairs our happiness.”

“ This lord of ours, said *Damànacà*, is known to me for having honey
“ in his words, and poison in his bosom.

“ Since :

“ Since:

“ He, who stretches out his hand from a distance, whose eyes over-
“ flow with tears, who respectfully sits on half the seat, who embraces
“ closely all that approach him, who shews veneration with gentle words
“ and questions, who bears poison internally, and carries sweetness in his
“ exterior, who is good only by delusion, what wonderful acting is this?
“ He must have been instructed by a wicked preceptor.

“ Yet observe:

“ A ship is used in passing the dangerous ocean; a lamp, used in
“ darkness; a fan, in a perfect calm; and a hook, in humbling the pride
“ of an elephant. Thus, in this world, nothing exists for which a re-
“ medy has not been framed by the Creator; but, in my opinion, the
“ Creator himself would fail in his efforts to correct the bad thoughts of
“ the wicked.

“ Miserable, O miserable me! said *Sanjivaca*; here am I, who feed on
“ vegetables only, to be mangled by this lion! Then again he said within
“ himself: Yes, the lion, alienated from me, through some wicked calum-
“ niator, has resolved on a breach of friendship. Hence it is, that a king
“ must ever be dreaded; for the mind of a prince is sometimes estranged
“ by an evil counsellor; and how should the wrist of a marble statue be
“ repaired, when it is once broken?

“ Again:

“ The thunderbolt, and the wrath of a king, are two objects of great
“ terror; but the former only falls on one place, the second spreads ruin
“ on all sides.

“ Therefore,

“ Therefore, by battle must protection from death be fought; to
“ supplicate him would now be absurd.

“ Since :

“ Either by dying bravely, I attain bliss in heaven ; or by slaying my
“ foe, felicity on earth ; both these heroick acts are, no doubt, hard to be
“ atchieved.

“ This, too, is the time for battle :

“ Since :

“ When, by declining a battle, death is inevitable ; and in battle, life
“ is doubtful ; then, say the wise, is the only moment for entering the
“ field.

“ Besides :

“ When a wise man, even without fighting, perceives not the least
“ affection shewn him, then he resolves to die together with his enemy.

“ Yet more :

“ By victory, a hero acquires abundance ; by death, the daughter of a
“ god for his consort : all bodies perish in an instant, what then should
“ cause fear of death in battle ?

“ Then he said, aloud, to *Damànacà* : O ! my friend, inform me how
“ I shall know that the lion intends to destroy me ? When he shall look
“ at thee, said his false friend, with his ears erect, with his tail waving,
“ couching

“couching low, with his feet and his mouth wide open; then shew thy
“own strength.

“For:

“An inglorious warrior, from whom no repulse is feared, is trampled
“on by the multitude, without apprehension; see how they set their
“feet on a heap of ashes.

“But let all this be done very secretly by thee; otherwise, neither thou
“nor I shall remain alive.

“*Damànacà*, having said this, went to *Caràtacà*, who asked him
“what he had accomplished. A complete rupture, answered he, be-
“tween them. No doubt, said *Caràtacà*, for who is a friend of the
“wicked? Who that is enraged, is not implored? Who is not satisfied
“with abundance? And in what evil art thou not eminently skilful?

“Again:

“A man, though happy and wise, is made wicked by the arts of the
“wicked.

“What does not the company of the wicked effect?

“It is like fire, which consumes what it receives in its bosom.

“Then, *Damànacà* going to the lion, said: The traitor comes, in-
“tending to kill thee; let the king stand on his defence; and continued,
“as before, to irritate the lion. *Sanjivaca* then approaching, and seeing
“the lion with the marks of altered friendship, described to him, exerted
“his

“ his utmost resolution, a terrible conflict ensued between them ; but
“ at last the bull was slain. *Pingalaca*, fatigued with the combat, fat
“ down in sorrow, and exclaimed : O, what an atrocious act have I
“ done !

“ Since :

“ The kingdom is enjoyed by strangers, and the king is a vessel filled
“ with iniquity ; a king who abandons justice, is like a lion who flays
“ an elephant.

“ Again :

“ If one region of the world, and a virtuous wise minister, be de-
“ stroyed ; by the death of a virtuous minister, a king perishes ; by the
“ loss of one region of the world, another may be gained ; but not
“ another servant.

“ My lord, said *Damànacà*, what is this sudden change of mind, that
“ thou art afflicted by having killed an enemy ?

“ It is written :

“ If a father, or a brother, or a son, or a friend, intend destruction to
“ the king, and aspire to dominion, the king must destroy them.

“ Again :

“ A prince acquainted with the principle of sound justice, must not be
“ too merciful : a man over mild, cannot hold riches in his grasp.

“ Still farther :

“ Mercy to a friend, or a foe, is the ornament of religious men ; but
“ lenity to all offenders, is a crime in a monarch.

“ Besides :

“ When a man aims at dominion, and proudly seeks the place of
“ his lord, there can be no expiation for his offence, but loss of
“ life.

“ Farther :

“ A king over-merciful, a priest over-greedy, and a woman disobedient to her husband, an ill-disposed companion, an unruly servant, a negligent counsellor, and he who acknowledges not a benefit received ;
“ these seven are to be dismissed.

“ Thus may it be known, that a king's duties are two-fold ; he must
“ be true and false, harsh and courteous, seek wealth, and liberally spend
“ it ; always giving to his friends, and always taking their property ; in
“ every respect resembling an harlot. O, sir ! since thou hast destroyed
“ a foe, why art thou sad ? Be thou ever victorious, O great monarch !
“ And may the felicity of all worlds attend thee ! Saying this, he took
“ his station.

“ You have heard,” said *Viṣṇuśarman*, “ how friends are disunited ;
“ what will you now hear : speak.”

“ We have heard it,” said the princes, “ with great delight.”

“ Let

“ Let us conclude then,” said the sage, “ with an applicable stanza :

“ May a breach of friendship be in the mansion of the enemies ; and
“ may every wicked adviser, detected in time, be dragged continually to
“ perdition ; but may every man of virtue enjoy all prosperity ; and
“ may every boy delight in pleasing and useful instruction !”

THE END OF THE SECOND BOOK.

BOOK THE THIRD.

On War.

AT a proper time for refuming the conversation, the princes thus addressed *Viṣṇuśarman* : “ Having heard how friendship is broken, let us, “ who are fons of a king, be delighted, great sir, with an account of war.”

“ I will discourse,” said the sage, “ on what you desire to know : hear, “ therefore, the narrative of a war, the first stanza of which is this :

“ The geese and peacocks warred with equal power of strength ; but “ the geese were slain, having confided in crows, who were in the man- “ sion of their enemies.”

“ How,” said the princes, “ did that happen ?”

“ There is,” answered *Viṣṇuśarman*, “ in the island of *Carpura* a “ pool, called *Pedmaceli*, where a royal goose, named *Hiranyagarbha*, “ lived ; and having assembled all the water-birds, was anointed king “ over them, by a solemn bathing.

“ Since :

“ If there be not a king endued with every virtue where there be a “ people, the nation will be like a ship without a rudder, tossed about in “ the ocean.

“ Again :

“ Again :

“ A monarch preserves the people, and they aggrandize the monarch ;
 “ and by that aggrandizement he preserves them ; but if there be no one
 “ called king, who can be aggrandized ?

“ One day the imperial bird was reclining at ease, on a long and
 “ shining bed of lotus-flowers, encircled by his ministers ; when a *bacha*,
 “ or water-fowl, named Long-bill, coming from a distant country, made
 “ his salutation, and sat down in the circle : O *Dirghanruc'be* ! said the
 “ king, thou comest late from the farthest limits of the earth ; give an
 “ account of thyself. It is a long account, said he, and I am desirous of
 “ relating it ; but, in fact, I am come with speed ; attend to my narration,
 “ it is of importance to you.

“ In *Jambudwipa* is a mountain, called *Vindhya*, where a peacock,
 “ named *Chitravarna*, rules over nations of birds ; while his attendants
 “ were feeding, they saw me also seeking food in the middle of a parched
 “ wood, and one of them said to me : Who art thou ? Whence dost
 “ thou come ? I am a subject, answered I, of a mighty prince, named
 “ *Hiranyagarbha*, but powerful as *Chacravartia*, king of the geese ; for
 “ my amusement I am come to visit the extremity of regions. The
 “ bird having then asked : Which of the two countries had the better
 “ climate, and the better sovereign ? O ! exclaimed I, there is a great
 “ difference ; for the isle of *Carpura* is another paradise, and the king of
 “ geese is a second Jove : What are you doing in this dry soil ? Come,
 “ and travel to my country. This discourse irritated the peacocks.

“ As it is written :

“ A serpent, by drinking milk only, encreases his venom ; thus a fool
 “ being admonished, is provoked, but not benefited.

“ Again :

“ Again :

“ Let a sensible man be admonished, but not a fool ; as the birds, who gave advice to the monkeys, were driven from their nests.

“ How happened that ? said the king.

“ On the banks of the *Nermada*, said the water-fowl, at the foot of a mountain, stands a large samula-tree, in the middle of which some birds had built their nests, and lived, with pleasure, for years. Once, the sky, resembling an azure mantle, became obscured with thick clouds, and a heavy shower began to fall ; when these birds saw a herd of monkeys, running under the tree, trembling with the pain of cold, they were moved with compassion, and said : Halo ! monkeys, we have raised nests, made of herbs brought in our bills ; why do you join your hands and feet together with such affliction ? The monkeys hearing this, were displeased, and said among themselves : Oh ! these birds who sit happily in the middle of their nests, secured from the wind, are deriding our exposed situation : Be it so—the shower must cease. When the rain at last was over, the monkeys climbed up the trees, and broke all the nests on the branches, so that the birds’ eggs were thrown to the ground. Hence, I said : Admonish a man of sense, &c.

“ What happened afterwards ? said the monarch. The birds, answered Long-bill, said, angrily, who made your goose a king ? I answered, with equal rage, Who conferred royalty on your peacock ? Hearing this, they all fell upon me, intending to kill me : I showed my utmost prowess :

“ For :

“ Sometimes

“ Sometimes lenity is the grace of a man; but before victory is
“ gained, violence becomes him.

“ The king smiled, and said :

“ He who knows not the strength and weakness of himself and others,
“ must be routed by his enemies.

“ Again :

“ The afs, who had been fed on good corn; and ignorantly braying
“ in the hide of a tiger, was slain for his impertinence. How happened
“ that ? said the birds.

“ There is, answered the king, in *Haftanapur*, a fuller, named *Vitafa*,
“ whose afs, weakened by carrying excessive burdens, was like an animal
“ desirous of death. The master, therefore, carried him in a tiger's hide,
“ and left him in a wood, in a field of corn. The owners of the field,
“ taking him at a distance for a tiger, fled; but one of them, covering
“ himself with a piece of cloth of an afs's colour, stooped down to bend
“ his bow; and the afs perceiving him, took him for a female of his own
“ race, so that exulting in his renewed vigour, he began braying, and
“ running towards the object of his desire; but the keeper of the corn-
“ field knowing, by his voice, that he was only an afs, killed him with
“ ease. Thence I say : The afs, &c.

“ What then ? said the king. The birds, answered Long-bill, ex-
“ claimed, O treason ! O abominable *baca* ! how durst thou calumniate
“ our sovereign ! No mercy must be expected from us. With these words
“ they all pecked me with their beaks, adding with rage : Oh, thou fool !
“ what property has thy unwarlike gander in this kingdom ? A weak
“ man cannot even keep his money in his hands : How should this
“ coward

“ coward keep his realm? Or rather, what realm can he have? And
“ thou! a frog born in a well! go, and inform thy protector of this
“ attack.

“ Hear, thou idiot:

“ A great tree must be honoured which has both fruit and shade; if,
“ by heaven’s will it has no fruit on it, yet, what can prevent its shade?

“ Again:

“ Let no wise man serve a low master; but let him serve a man of
“ dignity.

“ Even milk in the hand of a tavern keeper is called an intoxicating
“ liquor.

“ Besides:

“ A great man becomes little, and his virtue is diminished by a
“ wicked person, like the image of an elephant in a mirror.

“ It is added:

“ By using the great name of a powerful king, prosperity is attained;
“ as the fawn found security by naming the moon.

“ How, said I, happened that?

“ In the forest of *Dandaca*, said one of the birds, a herd of elephants,
“ being distressed by a scarcity of rain in winter, thus addressed their
“ king: O, Sir, what remedy has our distress! Yonder is a pool used
“ by

“ by little quadrupeds, who are bending their necks to drink it; but we,
 “ parched with thirst, whither shall we go? What can we do? The king
 “ of the elephants hearing this, went to a little distance, and discovered
 “ a pond of clear water, on the borders of which were some little ante-
 “ lopes, who were trodden, from time to time, by the feet of the ele-
 “ phants. One of them, named *Silamu'che*, thus thought within him-
 “ self: If this mighty elephant bring his herd hither every day to
 “ quench their thirst, our whole race will be destroyed! An old antelope,
 “ named *Vijaya*, guessing the cause of his melancholy, said: Be not for-
 “ rowful; I will provide a remedy for this evil. With this promise,
 “ he departed, and considered how he should approach the elephant near
 “ enough to address him without danger:

“ For:

“ By the touch, an elephant destroys; by the teeth, a serpent; even
 “ by giving food, a king; and by smiles, a treacherous man.

“ I will, therefore, said he, climb up yon mountain, and thence dis-
 “ course with him. Having done as he had resolved, he thus began:
 “ O sovereign of elephants, I come to thee, by the command of that great
 “ monarch the Moon. Who art thou? said the elephant; and what is
 “ thy business? Hear, said *Vijaya*; I am an ambassador: Though wea-
 “ pons are raised, yet an ambassador speaks: nay, more; ambassadors,
 “ though they declare the plain truth, are not surely to be slain by you.
 “ I therefore speak, by order of his lunar majesty. In driving away the
 “ antelopes, who are appointed keepers of the pool sacred to *Chandra*,
 “ thou hast acted improperly: we antelopes are its guardians: hence
 “ also the God is named *Saganca*, or fawn-spotted. When the pretended
 “ ambassador had said this, the elephant said, with great fear: This has
 “ been done by me through ignorance; we will not again come hither.
 “ Come then, said *Vijaya*; and having saluted the god who dwells here,
 VOL. VI. P “ and

“ and trembles with rage, appease him. The elephant went, and as it
 “ was night, the antelope shewed him the reflection of the moon quiver-
 “ ing in the water, and commanded him to make prostration. Great
 “ Sir, said the elephant, my offence was through ignorance; therefore,
 “ be moved to forgiveness: saying this, and making profound salutation,
 “ he went his way. Therefore, I said: Using a great name, &c.

“ So, answered I, our monarch has great strength and great power. The
 “ birds then dragged, and struck me, saying: Horrible treason! Dost
 “ thou live in our country, and traduce our sovereign? After these words,
 “ they carried me before their king *Chitraverna*; who looked at me;
 “ while they, after due salutation, thus addressed him: Let our lord hear:
 “ This evil-minded water-fowl, though living in our land, condemns thy
 “ throne, our monarch. Who is he? said the prince; and whence comes
 “ he? They answered: He is a subject of *Hiranyagarbha*, and comes from
 “ the isle of *Carpúrá*. I was then asked by the prime-minister, a vul-
 “ ture, who was the vizir at my court. A large water-bird, named *Ser-*
 “ *vajnya*, said I. He is well employed, said the vulture, because he was
 “ born in that country:

“ Since:

“ A king should, by all means, chuse a minister who was born in his
 “ realm, who follows the profession of his ancestors, who is perfect in
 “ religious and moral duties, void of arrogance, has read the body of
 “ laws, firmly principled, esteemed wise, and the author of prudent
 “ counsels.

“ Then a parrot said:

“ The isle of *Carpúrá*, Sir, lies in *Jambudwipa*; and your majesty has
 “ there a just right of dominion! True, said the peacock:

“ For:

" For:

" A proud king, a child, and a man who seeks immense wealth,
" grasp at what is unattainable:

" What right can they have in it? If, said I, dominion were obtained
" by words only, then might all *Jambudwipa* be subject to my king.
" How, said the peacock, will he maintain his right? By war, answered
" I. Go, then, said he, smiling, and make preparation for it. Send thy
" own ambassador, said I. Who, asked the king, will go on this
" embassy?

" For:

" An ambassador should be thus qualified:

" *Faithful, honest, pure, fortunate, mild, laborious, patient, a Brahmen,*
" *knowing the hearts of others, and extremely sagacious:*

" Again:

" Noble, true, eloquent, prosperous, affable, exact in delivering his
" message, with a good memory:

" An ambassador should have these seven qualities. There are many
" such ambassadors; but a *Brahmen* must be appointed:

" For:

" Let a prince conciliate the Gods to himself, and not long immo-
" derately for wealth; even by the company of *Siva*, the black hue of
" the venom is not to be removed.

" The

“ The parrot, therefore, must go. Having thus spoken, he said to the
“ parrot: Go thou with him, and declare our pleasure. As the king
“ commands, be it done, said the parrot; but with that mischievous *baca*
“ I cannot travel.

“ Thus it is written:

“ A bad companion makes a bad condition; the fruit is certain; as
“ the ten-mouthed giant carried *Seta* away; and as the ocean was bound
“ in chains.

“ Further:

“ We must never stand, we must never go, with a wicked person!
“ By standing with a crow, the goose was killed; and the vartace, by
“ moving.

“ How was that? said the king.

“ In the road to *Ujjayani*, near the border of it, is a large pippel-tree,
“ where a wild gander and a crow had lived a long time. Under this
“ tree, a traveller, fatigued by the summer heat, slept in the shade, with
“ his bow lying by him; and whilst he slept, the shade, for a short time,
“ left his face; and the wild goose on the tree, seeing his face enlight-
“ ened with sunbeams, was moved with pity, and extending his wings
“ over, shadowed him. The traveller, in deep sleep, opened his mouth
“ wide, and the crow, letting his dung fall into it, flew away. When
“ he awoke, and found his mouth defiled, he looked up, and perceiving
“ the wild goose, shot him. Thence I say: We must never stand, we
“ must never walk, &c.

“ Now

“ Now I will tell you what happened to the vartace :

“ Hear :

“ On a certain day, all the birds made a festival in honour of *Garuda*.
“ On the sea shore, where they were walking, a crow and a vartace flew
“ together ; a shepherd, attending the feast, carried on his head a pot of
“ curds, which the crow, from time to time, pecked at ; upon this, he set
“ the pot on the ground, and raising his head, saw both birds, and pur-
“ sued them ; but the crow, while he stopped to breathe, flew off, and
“ the small bird who moved slowly was killed by him. Therefore, I re-
“ peat : We must never stand, we must never move, &c.

“ I then spoke thus : Brother parrot, why dost thou speak so unkindly
“ of me ? Thou art, in respect of me, as the feet of my king. Be it so,
“ answered he :

“ Nevertheless :

“ The soft words of the deceitful make me fearful of mischief ; like the
“ smell of flowers out of season.

“ And thy wickedness in talking has been fully known to me ; for
“ thy speeches have, before this, been the cause of a war between two
“ princes.

“ Though a crime be committed even in presence of a fool, he re-
“ joices, like the chariot-maker, who had his wife and her lover over his
“ head.

“ How was that ? said I. He answered :

“ In

" In *Srinagarna* lived a carpenter, named *Mandamati*, or little-sense,
 " who knowing his wife to be unchaste, but not having with his own
 " eye seen her with her lover, told her one day, he was going to another
 " town, and took his leave; yet, without going far, he returned, and con-
 " cealing himself in his house, lay under the bed. The adulterer, in full
 " confidence that the husband was absent, was sent for in the evening,
 " and sat sporting with her on the bed; when she touching something
 " with her foot, and concluding that it was her husband, began to lament.
 " Her lover asked, what was the reason of this. She answered: He that
 " is the lord of my life is absent; and this town, though full of inhabit-
 " ants, appears to me like a desert. Why, said he, should this carpenter
 " be an object of such affection? he who calls thee a harlot! Cruel man!
 " said she, what dost thou say? Though sharp things be spoken, and
 " though a wife be seen with a look of anger; yet, when her husband is
 " appeased, she returns to her duty.

" Again:

" A husband is the chief ornament of a wife, though she have no
 " other ornament; but though adorned, yet, without him, she has no
 " ornament.

" Thou, an adulterer, with whom the levity of my mind caused me to
 " sin, art like a tambula-flower, worn a little while, and soon thrown
 " aside: but my husband, by his supreme dominion, has power to give
 " or sell me to the gods or the *Brahmens*. What need is there of many
 " words; in his life I live, and in his death I must die, as I certainly
 " will.

" For:

" As many hairs as are in the human body, multiplied by a crore,
 " and

“ and half a croire, so many years will she live in heaven, who dies with
“ her husband.

“ Again :

“ As a charmer draws a serpent from his hole, thus a good wife taking
“ her husband from a place of torture, enjoys happiness with him.

“ Yet more :

“ When a faithful wife hears her husband is dead in a distant country,
“ she abandons life, and accompanies him.

“ Hear now the fruit of such virtue :

“ If he be bound in hell with the strongest chains, yet she takes him
“ by the hand, and leads him to heaven by the force of her piety !

“ The carpenter hearing all this, thought within himself: I am a
“ wonderful man, to possess such a wife! a wife who speaks of me so
“ affectionately, whose love is innate. Saying this, he could not restrain
“ himself, but raised on his head the couch, with his wife, and her gal-
“ lant. Thence, I say: Though a crime, &c.

“ After this, having saluted the king as if he had administered justice,
“ I was dismissed. Now, Sir, the parrot is coming after me; knowing all
“ this, thou wilt act as is expedient. Sir, said *Chacravaca*, smiling, this
“ *Dirghamuc'be*, having travelled to a foreign country, has performed the
“ king's business to the best of his power; but this is a fault in his
“ nature :

“ For :

“ Give

“ Give a hundred pieces, rather than go to war. This is the rule in
“ the sacred code:—To war without necessity, is the part of a fool !

“ After such an affront, said the king, war seems unavoidable. Sir,
“ said the minister, I will speak in private without these hearers.

“ For :

“ As words form an echo, so the eye, and the motions of the body,
“ are comprehended by the sagacious : let prudent men, therefore,
“ give counsel in secret.

“ Besides :

“ By winks, by the walk, by action of speech, by the motion of the
“ eye, and the lip, a wise man discovers the mind.

“ When he had said this, the king and his vizir remained, while the
“ rest departed, each a different way.

“ This I know, Sir, said the minister, that this business of sending
“ an ambassador, has been effected by the back.

“ For :

“ A sick man is an advantage to physicians ; a messenger to the mes-
“ senger's lord ; a fool to the learned ; a king's subject to a warrior.

“ Let this be the cause, said the king ; but now say what must be
“ done ? Sir, said *Chacravaca*, let an ambassador be sent : then we
“ shall know the whole affair, and the enemies strength or weakness.

“ Thus,

“ Thus, indeed, it is written :

“ Let an ambaffador be the king's eye, in furveying his own and
 “ every other region ; and in discerning what is practicable, and what
 “ is impracticable :—He who has no fuch eye is blind !

“ Let him take a fecond perfon, a confidential affiftant ; and when
 “ any fecret bufinefs is concerted, let him remain himfelf, and fend back
 “ his affiftant.

“ Thus it is written :

“ In the place of a foreign king, let a wife man converfe with ambaf-
 “ fadors, who know the divine books, are devout, and of a facred
 “ character.

“ A confidential minifter fhould be one who travels by land and
 “ water. Let fome other (rice-bird) be fent, but not this baca ; let
 “ him remain in your palace : but let all this be kept fecret ; for good
 “ counfel is betrayed by fix ears. This alfo is the cafe of a fecret ; let
 “ the king, therefore, confult only with himfelf and another.

“ Hear :

“ By revealing a fecret, the faults of a prince cannot be corrected :—
 “ this the moralifts know.

“ He faid, eagerly, I have an excellent ambaffador. Then, faid the
 “ minifter, thou haft obtained victory.

“ While they were fpeaking, a chamberlain entered and faid : A
 “ parrot, from *Jambudwipa*, is arrived at the palace gate. The king
 VOL. VI. Q “ looked

“ looked at *Chacravaca*, who said: Let an apartment be prepared
“ for him, and let him repair to it; after that he shall be presented.
“ The chamberlain said: Be it as the king commands: and after that
“ went with the parrot to his station.

“ War, said the king, is now settled. Yet, Sir, said the minister, it
“ must not take place. For, what is that treasurer, or what is that coun-
“ fellow, who advises his prince to make war without due consideration?

“ It is written:

“ Let a wise king strive for victory if he be attacked; but let him
“ not make war. Since, if two kings fight, both cannot be victors.

“ And:

“ Every man is a hero, who has not been in battle: and who, that
“ has not seen the strength of another, is not arrogant?

“ Farther:

“ A great stone is not raised, by men, without labour: but if a man
“ can attain great success with little efforts, the fruits of his virtue is
“ great.

“ Nevertheless, when war is determined on, it must be vigorously
“ conducted:

“ For:

“ As corn produces its fruit, among men, in due season; thus, good
“ conduct produces fruit, O king! after a long time, and not on a sudden.

“ Yet

" Yet more :

" A great king should fear his enemies at a distance : but when near,
" act with valour. In the midst of danger, it is a dreadful crime to be
" inactive.

" Again :

" The destroyer of all successes, is ill-timed apprehension of danger.

" He then added: The king *Chitraverna* is exceedingly strong.
" That we should engage with a strong foe, is not adviseable : it would
" be like a man assailing an elephant on foot.

" Besides :

" He is a fool, who, not having attained a proper time, engages his
" enemy. A contest with the strong, would be like attempting to fly
" with the wings of an insect.

" Yet more :

" Let a warrior keep his arms reserved, as a tortoise contracts his
" limbs ; then, when he has an opening, let him rise up like an en-
" raged serpent.

" Hear, O king !

" Against a great prince, a small one may perform much in due season,
" if he know stratagems : as the inundation of a small river can tear up
" the roots of trees like grass.

" In

“ In this manner let the parrot, having confided in us, be kept, until
“ a necessary fortification can be prepared :

“ For :

“ One bowman standing on the centre wall, may fight an hundred, or
“ even an hundred thousand ; a castle, therefore, is necessary.

“ It is added :

“ A prince stationed in his enemy's country without a fortress, unable
“ to repel his foe, necessarily falls, like a man out of a ship.

“ Again :

“ A fortress must be built with large battlements, and lofty walls, supplied with vessels, implements, provisions, and water, with a hill, a
“ river, a dry plain, and a wood.

“ Yet more :

“ Of great extent ; difficult of access ; sufficiency of water, and grain ;
“ with store of wood ; a fit place for ingress, and egress ; these are the
“ seven excellencies of a castle.

“ Who, said the king, can be employed in building it ?

“ Whoever, answered the minister, is eminently skilful in the business,
“ let him be employed ; in such business, whoever is inexperienced in it
“ is a dunce, though he may know all the fastras : let the farás, therefore, be ordered to attend.

“ The

“ The order being issued, and the farás attending, the king thus addressed him : O farás ! thou must build a fortress. The farás, having paid his homage, spoke thus : A fortress, O king ! has long been provided, namely, a large pool ; but an island in the middle of it should be supplied with a quantity of grain ; since, of all stores, great monarch ! a store of grain is most useful : a bright gem taken into the mouth will not preserve life.

“ Besides :

“ Of all tastes, the taste of salt is most excellent ; let salt be used, without which the best dish would be unfavoury.

“ Go, speedily, said the king, and make all ready.

“ While the king was speaking the wardour entered, and, after salutation, said : The sovereign of the crows, O king ! named *Meghaverna*, is arrived from *Sinhaladwipa*, and solicits the honour of seeing the feet of our prince ! The crow, said the king, is a wise bird, and has seen much of the world ; let him be graciously received. It is even so, said *Chacravaca* ; but, O king ! the crow is a land-bird, and is considered as rejected by our race, which differs widely from him : how can he be received ?

“ It is thus written :

“ A fool who leaves his own race, and delights in another, is destroyed by strangers, like the blue shakàl.

“ How, said the king, did that happen ?

“ There is, said the minister, in the city of *Ujjayani* a shakàl, who
“ going

" going one night, for his pleasure, beyond the limits of the town, fell
 " into a pot of indigo ; and, unable to rise out of it, lay in it, as if he
 " were dead. In the morning the owner of the indigo pulled him out,
 " and threw him out of the room ; when he, concealing himself, ran
 " away to the forest. Perceiving that he was of a dark blue colour, he
 " thus thought within himself : I am now of a divine colour, the colour
 " of *Criſhna* ! What greatness, therefore, may I not attain ? Having ac-
 " cordingly ſummoned the reſt of the ſhakàls, he ſaid to them : The
 " deity of this wood has himſelf anointed me ſovereign of it, with the
 " juice of celeftial herbs ; ſee my holy colour : to-day, therefore, I muſt
 " begin the diſcharge of my duty, and by my command juſtice ſhall be
 " adminiſtered in the foreſt.

" The beaſts, perceiving his diſtinguiſhing colour, fell proſtrate, and
 " paid homage, ſaying : As the king commands ! and then was ſupreme
 " dominion conferred on him by all the animals of his race. Soon after,
 " when he had alſo aſſembled a herd of lions, tigers, and other beaſts,
 " deceived by his appearance, he deſpiſed his ſpecies, and diſmiſſed all the
 " ſhakàls, who were much afflicted with their diſgrace ; but an old ſhakàl
 " aroſe among them, and ſaid : Be not grieved, I promiſe you relief ; we,
 " who know him, are driven from him ; but as he ſeeks to ruin us, I
 " muſt contrive to deſtroy him. The lions, tigers, and the reſt, imagine,
 " from his blue hide, that he is a monarch ; but be it our care that he
 " may be detected : thus may we effect our purpoſe ; one evening, when
 " you are all collected before him, ſet up a loud cry ; when he hears it,
 " his nature will prompt him to join in it :

" For :

" Whatever is natural to any one, can hardly be diſcontinued : ſhould
 " a dog be made a king, he will ſtill gnaw leather.

" The

“ The tigers, &c. knowing his voice, will destroy him. This being
“ done, the consequence followed.

“ As it is written :

“ Our natural enemy knows our former crimes, our heart, and our
“ strength ; so that he penetrates and destroys, as fire burns a dry tree.
“ Thence, I say : A fool who leaves his own flock, &c.

“ Though it be so, said the king, yet consider, since he comes from a
“ great distance, what reason can there be for rejecting him ?

“ O king, said *Chacravaca*, an ambassador is dispatched, and a fortress
“ built ; let the parrot see this, and depart, since *Chanacya*, by employing
“ a sagacious messenger, destroyed *Nanda* ; let a king, therefore, encircled
“ with warriors, receive an ambassador who comes from a distance.

“ Upon this a council was assembled, and the parrot introduced, to-
“ gether with the crow, named *Meghaverna*.

“ The parrot, raising his head a little when he entered the hall of
“ audience, said, aloud : Hear, O *Hyranyagarbha* ! the prosperous *Chitra-*
“ *verna*, king of kings ! thus commands thee : If thou value thy life, or
“ fortune, come speedily, and pay homage at our feet ; if not, be assured
“ of expulsion from thy territory.

“ The king answered, in a rage : Who, among you, is not my subject ?
“ Then *Meghaverna* rose, and said : Give the word, O king ! and I will
“ put this base parrot to death. The minister then firmly addressed the
“ king, and the crow, in these words :

“ Yet hear :

“ That

“ That is no council, at which the aged attend not ; they are not aged,
“ who speak not with justice ; that is not justice, which is unaccom-
“ panied with truth ; and there is no truth where fear prevails.

“ This is clear law. The parrot is a Brahmen ; but an ambassador,
“ though a barbarian, must not be slain : a king speaks by the mouth of
“ his ambassador, who, though weapons be raised for war, merely delivers
“ his message.

“ Farther :

“ Who considers himself debased, because an ambassador reports, that
“ others magnify themselves ? They who are respectable, are so in them-
“ selves : a messenger speaks only as he is instructed.

“ The king, nevertheless, and the crow, expressed their natural warmth
“ of temper ; and the parrot, rising from his seat, departed : after which,
“ an officer, sent by the minister, complimented him with an ornament
“ of gold, and then dismissed him.

“ The parrot returned to the *Vindhya* mountains, and paid his respects
“ to *Chitraverna*, who seeing him, said : Well, my ambassador, what is
“ the state of things ? What sort of a country is it ? O king ! answered
“ the parrot, the state of things is shortly this : A war must be resolved
“ on ; the island of *Carpura* is a terrestrial paradise ; how can I paint it
“ in proper colours ?

“ The king, hearing this, convened an assembly of his most distin-
“ guished ministers, and, having taken his seat in council, spoke thus :
“ Now, since war must be waged, advise what is to be done.

“ As

“ As it is written :

“ Discontented priests, and contented princes, are alike ruined : modest
“ harlots, and immodest women of rank, are alike undone.

“ A vulture, named *Duraderfi*, or far-seeing, then spoke thus : O
“ king ! in distress, war is not to be waged :

“ Since :

“ Whenever the counsellors of a monarch are well disposed, and his
“ ministers serve him steadily, and when the foe is unprepared, then he
“ may declare war.

“ Let an astrologer, said the king, be summoned by this my order ;
“ and let him calculate a propitious day for our expedition. O king !
“ said the minister, any expedition, at present, is improper.

“ Since :

“ Fools only engage on a sudden, without ascertaining the strength of
“ their enemy ; and most assuredly receive a number of drawn sabres on
“ their necks.

“ Do not, said the king, oppose, on all occasions, my eager desire ; but
“ declare, how a prince, who seeks victory, must invade a foreign terri-
“ tory. I will declare it, said the vulture ; only hear ; yet even this plan
“ produces dangerous fruit :

“ Thus it is written :

“ What need has a prince of a counsellor who acts not, and rea-

“ fons from books ; by memory, prescribing a medicine, no disorder is
“ cured.

“ Is the country, then, said the king, not to be invaded? that so far is
“ fettled.

“ I will speak, said the minister, what I have heard advised.

“ 1. Whenever, O king ! there is fear of danger with a river, a moun-
“ tain, a wood, and a castle ; then let the chief commander go forth with
“ collected troops, exerted strength.

“ 2. Then the principal observer of the hostile force, advance firm,
“ encircled by warriors : in the centre, let husbands and wives, with the
“ treasure, be placed ; and all who are weak.

“ 3. In both wings let the cavalry be stationed : by the horses, cha-
“ riots ; by the chariots, elephants ; by the elephants, infantry.

“ 4. Then let the sovereign march, giving confidence gradually to the
“ dispirited, surrounded by valiant counsellors, and with a great force.

“ 5. Let him advance with elephants, to a station that is watery and
“ mountainous ; with horses, to a level and dry station ; let him pass
“ water in boats, and every where be attended with foot-soldiers.

“ 6. The march of elephants is advantageous in the cloudy season ;
“ of horses, in the summer ; and of infantry, in all seasons.

“ 7. When armies march over dangerous roads, they must provide for
“ the safety of the king ; but if he sleep, though guarded by heroes, he
“ neglects his duty.

“ 8. Let

“ 8. Let him smite, let him destroy the foe with hard and sharp strokes; and when he enters a foreign country, let him look out for a wood before him.

“ 9. Where the king is, there is the treasure; where there is no treasure, there is no reigning; but let him impart it to his warriors: Who would not fight when wealth is bestowed?

“ 10. No man, O king! is the slave of a man, but of riches: the rank of a spiritual guide, or the lowness of a beggar, depend on wealth, or the want of it.

“ 11. They fight to prevent a defeat, and mutually defend each other; but let that part of an army which is ever so little weak, be stationed in the midst of the forces.

“ 12. Let the sovereign place the infantry before him; and take his station. While the foe is compelled to go round him, let him lay waste the country.

“ 13. On a level ground, let him engage with chariots and horses; on the water, with boats and elephants.

“ 14. In a place covered with trees and creeping shrubs, let him use bows, swords, and shields, and other weapons.

“ 15. Let him continually molest his enemy; destroying their food, their fields, their water, their wood, and their entrenchments.

“ 16. Among the king's forces, the elephant is the chief, and no other: an elephant, using all his members, is considered as having eight arms.

“ 17. The

" 17. The horse is the strength of armies, for he is a moving wall:
" a king, therefore, possessed of many horses, is victorious in land-fights.

" 18. Warriors, mounted on horses, are hard to be conquered, even
" by gods; their enemies, even at a distance, are subdued by them.

" 19. The first business of war, is the preservation of the whole army:
" cleaning the ground, and choosing the aspect, is called the first action.

" 20. Wise men acknowledge as their elder brother, a man naturally
" brave, skilled in arms, well-affected, kind-hearted, difficult to be sub-
" dued, famed for heroism, and of great strength.

" 21. Men do not fight, O king! so boldly for gifts and wealth, as for
" the honours conferred by their sovereign.

" 22. A small army, if excellent, is a great one; not a numerous force
" with their heads shorn (disgraced): the flight of bad troops assuredly
" causes the route of good ones.

" 23. Not to protect, not to be present, to be sparing of gifts, to pro-
" craftinate, to have no wardour who may introduce suppliants; these are
" causes of disaffection.

" 24. By harassing the foes, let him who seeks victory overcome them;
" by delaying to harass them, they prosper, and are gratified.

" 25. In defeating the enemy, there is no other object than dividing
" the spoil: let the prince, therefore, with care divide the booty taken
" from the foe.

" 26. When

“ 26. When peace is made by a viceroy, or by a principal counsellor,
“ a firm prince may express anger, and renew the war.

“ 27. He may even, after having defeated the enemy, destroy them,
“ with troops eager for gain ; or seize and carry off their cattle, or even
“ imprison their chief.

“ 28. Let a prince make his own regions popular, for the sake of pos-
“ sessing that of another : or by bestowing gifts, and conferring honours,
“ with like popularity, let him acquire the odour of fame for generosity.

“ Ah ! said the king, what need is there for so many words. To be
“ fortunate by nature, and to subdue the foe, these are the two proper-
“ ties of a king : by possessing these qualities, wise princes extend their
“ glory like *Vâchaspâti* !

“ Another kind of strength, said the minister, smiling, must be pro-
“ vided ; another code of sciences must be prepared : How can light and
“ darkness remain equally in one station ?

“ The king then arose, and an astronomer having marked the propiti-
“ ous time of the sun's passing through the sign, he marched forth. Just
“ then a messenger arrived, who, after making obeisance to *Hiranyagarva*,
“ thus spoke : O king ! *Chitravarna* is approaching ; and even now, has
“ taken his ground on the top of the mountain *Malaya* : a guard must
“ be kept continually in the castle, for the vulture is his prime minister.
“ Yet more : It has been asserted, in conversation upon this subject, that
“ a certain bird was before ordered by the vulture to make an attempt
“ upon the fortrefs. O king, cried *Chacravaca*, that must be the crow !
“ By no means, said the king ; if it were so, how would he have begun
“ with proposing the death of the parrot ? Besides : Our foes success in
“ this war, must have been since the arrival of the parrot : the crow has
“ been

“ been a long time constantly here. Yet, said the minister, when a
“ stranger comes, he should be treated with caution. What benefactor,
“ said the king, can be considered as a stranger !

“ Hear :

“ A stranger, who is kind, is a kinsman.

“ An unkind kinsman is a stranger.

“ Painful distempers are bred in the body, while soothing medicines
“ grow in the forest.

“ Again :

“ *Viravara*, servant of the king *Sudrac*, in a short time, gave up
“ his own son.

“ How, asked the minister, did that happen ?

“ Once, answered the king, as I was sporting with a young goose,
“ named *Carpuramanjari*, in the pool of *Carpuraceti*, made for the recrea-
“ tion of king *Sudrac*, a *Rajaputra*, named *Viravara*, who had come
“ from a distant country, went, at that time, to the wardour of the palace,
“ and said : I am a *Rajaputra*, who want a maintenance, grant me a fight
“ of the king ! The warden went to *Sudrac*, and performing due
“ homage, said : O king ! a *Rajaputra*, named *Viravara*, is come from
“ a foreign country, and stands at thy gate.

“ The king said : Bring him to me. *Viravara* was accordingly
“ introduced to the king's presence ; and saluting him, said : If you ask
“ for me as thy servant, O king ! allow me a stipend. What stipend
“ dost

“ dost thou demand? said *Sudrac*. Four hundred pieces of gold a day,
“ answered *Viravara*. With what implements, said the king, canst thou
“ perform service? With three, said *Viravara*: the two first are my
“ two arms, and the third is my sabre. It cannot be, said the king; and
“ *Viravara*, making his obeisance, departed. The first minister then
“ addressed the king: Allow him, Sir, this salary for a few days, that
“ his disposition may be known; then you may proportion his pay to
“ the talents he possesses. *Sudrac*, persuaded by this advice, called
“ back the soldier, and giving him betel, ordered him the stipend he had
“ demanded. And then keeping a constant watch on his actions, learnt
“ that *Viravara* gave one half of his pay to the gods and the brahmens,
“ one quarter to the poor, and the remainder he spent on himself. This
“ was his constant practice. And, with his sabre in his hand, he kept
“ watch, day and night, at the palace gate; going to the king only when
“ he was called for.

“ On the fourteenth of the dark half of the moon *Bhadra*, at mid-
“ night, the king heard the sound of weeping and lamentation. He
“ said, aloud: Who is there at the gate? The soldier answered: O king!
“ I, *Viravara*, am in waiting. Let an enquiry be made, said the king,
“ concerning that weeping. Be it as the king commands, said *Viravara*,
“ and immediately departed.

“ In the mean while, the king, thinking within himself, that he had
“ unadvisedly sent a single soldier, in so dark a night, without a torch,
“ took his cimeter, and followed him out of the town.

“ *Viravara* had discovered a damsel, very young, exquisitely beautiful,
“ and elegantly appareled, to whom he said: Who art thou? wherefore
“ dost thou weep?

“ She

" She answered :

" I am *Lacshmi*, the Fortune of king *Sudrac*; under the shadow of
 " whose arm I have long reposed : but am now forced to depart from
 " him, and therefore weep. By what means, said *Viravara*, can the
 " the goddess be again established here? If thou, answered *Lacshmi*,
 " will devote to me, the goddess of felicity, thy son *Saetivaré*, whose
 " body has sixty marks of excellence, I will again dwell a long time in
 " this country.—So saying, she vanished.

" *Viravara* then went to his own house, and waked his wife and son,
 " whom he found sleeping. *Viravara* repeated to them the very words
 " of *Lacshmi*; which *Saetivara* no sooner heard, than he said, with rap-
 " ture : Glorious, indeed, am I become ! who am the instrument of fav-
 " ing the dominions of my prince ! What, O father, should occasion
 " delay ? any day, surely, must be favourable for offering up my body
 " in such a cause.

" Since the poet says :

" A good man would resign his wealth, and even his life, for others :
 " since death is inevitable, that death is surely best, which procures most
 " good to the virtuous.

" Let this, added his mother, be the business of our family : if it be
 " not, how else can we give an equivalent for the splendid salary which
 " the king allows us ?

" Having said this, all of them hastened to the goddess of prosperity ;
 " to whom *Viravara*, with pious adoration, said : Be favourable, O god-
 " des ! grant victory to the great king *Sudrac*, and receive thy offered
 " slave. So saying, he struck off the head of his son : and immediately
 " thought

“ thought thus within himself: I have now made a full return for the
“ king’s munificence, but, without my boy, my own life is a fruitless
“ burden. After this short meditation, he stabbed himself: and his
“ wife, seeing him dead, and unable to survive her husband and her son,
“ put an end to her life with the same weapon.

“ All this *Sudrac* heard and saw with astonishment, and said :

“ Ignoble men live and die like me ; but the equal of that *Viravara*
“ never existed, nor ever will exist among men. Since my kingdom
“ is therefore deprived of him, it is of no more use to me.

“ He then unsheathed his sword, and was preparing with pleasure
“ to give himself a mortal wound, when the goddess *Lacshmi*, ap-
“ pearing in a visible form, took the king by the hand, and said :
“ My son, this act will be absurd ; thy realm shall not now be broken.
“ *Sudrac*, falling prostrate, said : O goddess, I have no occasion for
“ my realm, nor even for my life. If still thou hast any affection for
“ me, let that hero *Viravara*, with his wife and son, be restored to
“ life by my death ; let me go into that path which becomes me. I
“ am abundantly satisfied, said *Lacshmi*, with thy fervent piety, and love
“ for thy servant ; go, conquer, and let the hero, with his family, rise to
“ life !

“ The king, having again prostrated himself before the goddess, re-
“ turned to his palace, unseen by any mortal. *Viravara*, in the mean time,
“ rose from the dead, with his wife and his child :—they went home,
“ and he returned to his station before the royal gate.

“ The king then asked him, what he had found to be the cause of

“ the lamentation. He answered: O king! a girl was weeping, and
“ when she saw me, she vanished: there was no other cause.

“ When the king heard this answer, he was highly pleased; and said
“ within himself: How can this most virtuous man, *Viravara*, be re-
“ warded?

“ It is written:

“ A true hero speaks gently, boasts not of himself, is liberal, and no
“ respecter of persons.—A great man is benevolent.

“ How this whole transaction proves the greatness of *Viravara*!

“ In the morning the king assembled an illustrious council, and, re-
“ lating the adventure, from the beginning to the end, conferred on
“ *Viravara*, with great honour, the kingdom of *Cárnata*.

“ How then is a stranger to be censured? But among strangers, it is
“ true, are some of the highest, some of the lowest, and some of the
“ middle, class.

“ *Chacravaca* then said: What sort of a counsellor is he, who grati-
“ fies the desire of his prince, when he orders what ought not to be
“ done? It is better that the mind of his master should be grieved,
“ than that he should perish through improper conduct.

“ Hear, O king!

“ Let me attain what is acquired by virtue; and not resemble the
“ barber, who, through the delusion of a golden vessel, slew the beg-
“ gar, and was slain himself.

“ How,

“ How, asked the king, did that happen ?

“ In the city of *Ayodhya*, said the minister, lived a soldier, named
“ *Chudamani* ; who, giving himself great pains in search of wealth,
“ paid particular homage to the god adorned with a crescent : and hav-
“ ing committed very few sins, had the felicity of seeing the deity in a
“ dream ; who said to him : Shave thyself this morning, and stand
“ concealed behind the gate, with a club in thy hand, with which
“ thou shalt put to death a beggar, who shall come into the court, and
“ instantly the dead body shall be changed into a vessel full of gold ;
“ which infallibly shall make thee happy, as long as thou livest and
“ spendest it freely. The soldier did as he was commanded, and gained
“ the treasure ; but the barber who had come to shave him, and saw
“ what happened, thus reasoned within himself : Oh ! is that the mode
“ of gaining gold ? what then, cannot I too perform ? From that time,
“ therefore, he stood early in the morning, from day to day, with a club
“ in his hand, waiting for a beggar : and one morning, a poor man, who
“ came to solicit alms, was attacked and slain by him. The king’s
“ officers, however, seized him, and he suffered death for the murder.
“ Thence I said : Let me possess what is gained by virtue, and so
“ forth.

“ How, said the king, can he be proved, by a multitude of words, to
“ be any other than what he seems ? Is any one a friend, without good
“ reason ? Why then should my confidence in him cease ? let him now
“ come, and in his station be of use to me. If *Chitraverna* be at this
“ moment in the mountain of *Malaya*, what can be done ?

“ I have heard, said the minister, from the mouth of a spy, just
“ arrived, that *Chitraverna* has disregarded the advice of his counsellor,
“ the vulture : the indiscreet prince may, therefore, be subdued.

“ For :

“ For :

“ He who thirsts for wealth ; he who abandons honesty ; he who rejects advice ; he who speaks falsely ; a negligent man ; a coward ; a weak man ; all these, if enemies, have no reason to rejoice.

“ As long, therefore, as he refrains from surrounding the gates of the fort, so long may the *farás*'s, and the other generals, be employed in destroying his forces in the river, the mountain, the castle, and the roads.

“ Thence it is written :

“ When an hostile army is fatigued by a long march, is impeded by a river, a mountain, or a forest, intimidated by a terrible fire, tormented with thirst, deficient in vigilance, weakened with hunger, afflicted with disease, or pain, not well stationed, molested by storms and showers, obstructed by dust, by mud, and by water, an army in such situations may easily be overpowered by an intelligent king.

“ Again :

“ An army, O king ! which is exhausted by watching, through fear of a nightly assault, and slumbers through the day, may at once be subdued, as the eye is overcome by sleep.

“ Thy troops, then, advancing against those which he has detached, will destroy them by day, and by night, as occasion serves.

“ This was accordingly done, and *Chitraverna* seeing many of his leaders and officers fall around him, thus, with extreme grief, addressed his minister *Duradarshan* :

“ O, my

" O, my father ! why do we stay longer here ? What disgrace has be-
fallen me !

" It is written :

" When no progress is made in acquiring dominion, all will prove un-
successful. Not to advance, as certainly destroys prosperity, as age
impairs the most beautiful form.

" Besides :

" Good actions lead to success, as good medicines to a cure ; a healthy
man is joyful, and a diligent man attains the end of learning. So a just
man gains the reward of his virtue, riches, and fame.

" Be virtuous, just, benevolent, and affectionate, to all creatures that
have life ; as water naturally descends, thus wealth, and felicity, natu-
rally come to a good man.

" O king ! said the vulture, a prince, though unwise, reaches the
summit of magnificence by attending to one who increases his know-
ledge, like a tree which flourishes by growing near a river.

" Farther :

" The taste of wine ; the love of woman ; excessive hunting ; gaming ;
and borrowing of money ; listening to false charges ; severity in inflict-
ing of punishments ; these are the causes of a king's misery.

" Yet more :

" Wealth unjustly collected is not enjoyed by him who indulges in
boundless

" boundless pleasures, but has no resource in his inmost soul ; true wealth
 " resides with good morals, and with valour.

" Thou, perceiving the good condition of thy army, and exulting in
 " force alone, hast added harshness of speech to thy neglect of my coun-
 " sels ; this fruit, therefore, of thy bad conduct, is now actually gathered.

" As the poet says :

" What offences against morals are committed by him who listens not
 " to advice !

" What man, who refuses to take medicines, do not disorders torment ?

" Whom doth not good fortune fill with pride ?

" Whom does not death at length overtake ?

" Who is not plagued by wealth, and goods, brought as a portion by
 " his wife ?

" Thus, therefore, I reasoned : This prince has no understanding ; how
 " he consumes the dictates of sound instruction by the fire of his own
 " words !

" For :

" If a man has no knowledge of his own, of what use is a book to
 " him ? Of what service is a mirror to a blind man ?

" For this reason I remained speechless. The king, joining his fore-
 " feet in a submissive posture, said : Be it so ; it is all my fault : but now
 " advise,

“advise, how, with this reinforcement of my army, I shall return to the
“*Vindhya* mountains. The vulture thought within himself: We must
“have recourse to a stratagem; and then said, aloud: O king! anger
“must ever be appeased towards the gods, a preceptor, cattle, kings,
“priests, women, and children, towards cows, the old, and the sick: then,
“with a smile, he added: Be not disheartened, O king! be confident.

“Hear:

“The wisdom of a *counsellor* is known on a breach of peace; of a *physician*, in the three acute distempers: Who is not wise, that can shew
“wisdom in such emergencies?

“Besides:

“When fools begin a trifling act, they hesitate; but when the wise
“begin an arduous enterprize, they are firm, and without hesitation.

“I, therefore, will conduct thee quickly hence to the *Vindhya* mountains, attended with fame and strength, having even destroyed by thy
“force the castle of the enemy.

“How, said the king, can that be achieved with so inconsiderable an
“army? Sir, answered the vulture, it will all happen.

“He, therefore, who desires conquest, must avoid procrastination, and
“hasten to attain victory.

“This very day let a line be formed around the fortress.

“While this was doing, a *baca* (or paddy-bird), who had been sent as
“a spy,

“ a spy, came to king *Hiranyagarbha*; whom he thus addressed: O king,
“ this *Chitraverna* is now, by the advice of his counsellor, the vulture,
“ furrounding the gates of thy castle. The king, turning to his minister,
“ said: O thou, all-knowing, what now must be done?

“ The flamingo said:

“ By the strength of thy own mind, O king, make a distinction be-
“ tween good and evil; distribute gold and dresses, as marks of thy favour,
“ to such as deserve them:

“ Since it is written:

“ Fortune deserts not that lion-prince, who exacts twenty shells from
“ the peasant, yet bestows thousands of weights of gold with a liberal
“ hand.

“ Again:

“ On eight occasions, O king! there cannot be too much liberality:

“ A solemn sacrifice, a royal marriage, in public distress, for the destruc-
“ tion of enemies, on a work which will raise reputation, on the society
“ of friends, for the comfort of beloved wives, and for the relief of indi-
“ gent relations.

“ Yet more:

“ A fool, through fear of bestowing too much, assuredly loses all: What
“ wise man dispenses not his whole fortune through fear of a worse mis-
“ fortune?

“ How,

"How, said the king, can excessive prodigality be of use on the present occasion?"

"It is written:

"To escape danger, let a man preserve his wealth; to secure his wealth, let him preserve his wife; and by his wife and his wealth, let him even preserve himself.

"How, said the minister, can a fortunate man be exposed to danger? Sometimes, answered the king, Fortune forsakes her favourites. Even accumulated wealth is lost, replied the minister; laying, therefore, aside this avaricious mood, encourage thy warriors with gifts and honours.

"As it is written:

"Soldiers contented with their stations, determined to perish or conquer when they are ennobled, and honoured, infallibly subdue the hostile forces.

"Again:

"Heroes, with good morals, pleased with their service, resolved to act, although there be only five hundred of them, slay an army of foes.

"Yet more:

"A prince who knows not how to make distinctions, who acts with severity, and frustrates good actions, is deserted by all honest men; how much more by others? Even a wife deserts a husband, who only gratifieth his own hunger.

" Since it is added :

" Truth, valour, liberality, these are the principal virtues of kings;
" void of these, a ruler of the world is sure to have a blemished character.

" Good counsellors are also necessarily to be honoured.

" Therefore it is written :

" The hero, who, when he is engaged in any great undertaking, par-
" dons offences, disperses treasure, encreases fortunes, he is to be trusted,
" he is to be served with our hearts, and wealth !

" Farther :

" When a low man, a woman, a child, or a fool, are the advisers of
" a king; he is tossed by the winds of vice, and drowned in a sea of
" trouble !

" Again :

" The prince who conceals his joy, and his anger, who spends his
" revenue with continual moderation, is never forsaken by his servants,
" and the earth bestows her wealth on him !

" Such ministers as resolve to prosper, or perish, with their sovereign,
" ought never to be disgraced by him :

" Since :

" When a king, blind with pride, falls into an ocean of perils, the wife
" exertions

“ exertions of an affectionate minister take him by the hand, and pre-
“ serve him from drowning.

“ After this conversation *Meghaverna* entered hastily, and having paid
“ homage, thus addressed the king: Grant me, O king! the honour of
“ an interview; the enemy, who wage this violent war, are in motion at
“ the castle gate; let me, therefore, by the order of your majesty, sally
“ forth, and shew my valour, that I may return, in some degree, the
“ obligations which you have conferred on me. No, no, said the fla-
“ mingo, if we are to sally forth, it is needless to fortify the castle.

“ Therefore it is written:

“ Though a crocodile be dangerous as poison, yet, if he leave the
“ water, he becomes weak: if a lion depart from the forest, he necessarily
“ becomes like a shakàl.

“ O king! go in person, and view the attack:

“ For:

“ Let a prince lead his army, and engage at its head: even a dog
“ lions it in fight of his master.

“ Nevertheless, all the troops, by the king's command, marched out of
“ the castle, and a dreadful conflict ensued.

“ On the next morning *Chitraverna* said to the vulture: Ha, father!
“ what thou hast promised, must be performed.

“ Hear, O king! said the vulture:

“ A general,

“ A general, who acts unseasonably, who is weak, indiscreet, ignorant
 “ of principles, cannot keep a secret, or fights without courage, is the
 “ ruin of a fortress.

“ To conquer by alliance with the enemy's officers ; to continue a
 “ blockade obstinately ; to attack at night ; or to take a castle, and plunder
 “ it, by storm ; these are the four greatest acts in war.

“ Then, whispering in his ear, he added : Let us engage, therefore,
 “ here as valiantly as we are able.

“ Before the sun was risen, while a fierce battle was fought before each
 “ of the four castle-gates, *Meghaverna*, with the crows, his companions,
 “ set fire, in one day, to the whole fortress, and cried out : The fort is
 “ taken ! it is taken ! When the generals, therefore, of *Hiranyagarbha*,
 “ and the other birds of the garrison, heard the clamour, and saw the
 “ castle in flames, they speedily entered the pool :

“ For :

“ A good consultation ; a good preparation ; a good engagement ; and
 “ a good retreat ; let a wise officer do all this when occasion offers, with-
 “ out hesitation.

“ The gander, from his natural form and habit, moved slowly, ac-
 “ companied by the farás ; and being surrounded by the cock, with the
 “ troops of *Chitraverna*, thus addressed his faithful general : O farás !
 “ thou shalt not destroy thyself through my fault ; thou mayest now de-
 “ part, enter the lake, and there, with the advice of *Servajnya*, my
 “ minister, place on the throne my son *Chudàretna*. Give not, O king !
 “ said the farás, this improvident order : thou mayest yet be a great mo-
 “ narch, famed as long as the sun and moon shall endure. I was com-
 “ mander

“ mander of the castle, and the enemy may enter it when the gates of it
“ are stained with my blood :

“ Since it is written :

“ A master, patient, generous, abounding with good qualities, is to be
“ served for his virtue.

“ True, said the king ; but it is added :

“ A servant, pure, honest, and faithful, is I know hard to be found.
“ The farás then said : Hear, O king ! if, by leaving the field, we
“ lose all fear of death, we may then prosperously seek another place ;
“ but if death be inevitable, why should our name be sullied to no good
“ purpose ?

“ Again :

“ In this world, broken with the motion of waves, violently agitated,
“ life should be virtuously sacrificed for the benefit of others.

“ Thou, O king ! must in all events be preserved.

“ Since :

“ The king ; the minister ; the country ; the fortress ; the treasure ;
“ the army ; and our friends ; these are, by nature, the bodies of a king-
“ dom, and should continue an assemblage of precious things, long se-
“ cured : among these, the chief is the king ; for nature, though abund-
“ ant, cannot exist when her lord is gone. Though *Dhanwanteri* be
“ the physician, what can he do when life is departed ?

“ Besides :

“ Besides :

“ This mortal race of subjects are miserable, through the misery of the prince ; and by his rise they rise, like the lotus, visited by sun-beams.

“ The cock then came, and attacked the gander with his talons and beak ; but the farás, in haste, covered his prince with his wings and body, till, when all the cocks at once assailing him, still securing the king who had fallen, pushed him into the water, and flew, with his sharp bill, the general of the cocks ; but fell himself, overpowered by a multitude of birds. *Chitraverna* then entered the castle, and seizing all the treasures hoarded in it, was congratulated as victor by the enemies, and returned to his own camp.”

“ We admire,” said the young princes, “ the virtue of the farás who commanded the gander’s army, in preserving his lord at the expence of his own life :

“ Since :

“ Cows bring forth calves, all with bodies like themselves ; but few of them are bulls, with horned foreheads, and leaders of the herd.”

“ The noble farás,” said *Viṣṇuśarman*, “ by abandoning his mortal frame, ascended to the immortal gods, and was born again the son of a goddess, living happily above, for a time proportionate to his merit.

“ Thence it is written :

“ They who are valiant in battle, forsaking even life for the sake of their masters, and servants devoted to their lords, and intelligent in business, ascend indubitably to heaven.

“ Again :

“ Again :

“ When a soldier, who has shewn no timidity, falls in battle, surrounded by foes, he reaches the gods, who die no more.

“ May you, when you reign, fight not always with elephants, with horsemen, and with infantry ! but may your enemies, overthrown by the winds of wise counfels, be driven for protection to the mountains !”

END OF BOOK THE THIRD.

BOOK THE FOURTH.

On Peace.

THE princes then addressed their instructor: "Thou hast given an account of war, now let us hear something of peace."—"I will speak," said *Vishnufarman*, "of peace; since it is your pleasure.

"Attend; the principal verse is this:

"A great war continuing, and the armies of both kings being exhausted, peace was quickly concluded by the vulture and the chacra, who met for that purpose."

"How," said the princes, "did that happen?"

Vishnufarman proceeded with the fable.

"The gander, thus preserved, said to his council: Who set fire to my castle? Was it a stranger, or a subject of mine, inhabiting the fort, and in league with mine enemies?"

"O king, answered the chacra, that *Meghaverna*, whom you made your friend without reason, is now with the enemy; at least he is not to be found here; whence I conclude, that the base work was his.

"The

“ The king, after meditating a while, said: Even so: this was my
“ fault, or my bad fortune.

“ Whence it is said:

“ It is even the fault of destiny, not of his counsellors: and whatever
“ good he has before done, is on this account destroyed.

“ This, too, is written, subjoined the counsellor:

“ When a man has a bad star he accuses destiny; but unwisely per-
“ ceiveth not his own bad actions.

“ Further:

“ He who follows not the advice of his beloved friends, falls like the
“ foolish tortoise from the pole by which he hangs.

“ How, said the king, was that?

“ In *Magadbadesa*, or *South Behar*, answered the chakra, is a pool,
“ named *Pbullo'tpala*, or lotus-blossom; where two geese dwelled, together
“ with a tortoise, their friend. It happened once, that some fishers came
“ thither, and said: Why do we wait so long on the bank? In the morn-
“ ing we will destroy all the fish, and the tortoises. The tortoise hearing
“ this, said, with great fear, to the two geese: My friends, I have heard
“ the dreadful threats of the two fishermen; what, therefore, can be
“ done? Let it first be ascertained, answered they, that we are in danger,
“ and then deliberate on the means of escaping. No, no, said the tor-
“ toise, what appears expedient must be done immediately:

“ As it is written:

" The two fish, *Anagata-vidbatri* and *Pratyutpennamati*, both prof-
 " pered, while *Yadbhawishya* perished.

" How, said the geese, did that happen ?

" Once, answered the tortoise, three fishermen, who had come to this
 " very pool, were seen by the fish, one of whom, named *Anagatavid-*
 " *batri*, thus thought within himself: I must not stay here ; but, disre-
 " garding the maxim, that, what will be, will be, let me sink to the bot-
 " tom : he sunk accordingly. Another fish, whose name was *Pratyut-*
 " *pennamati*, said : Whither must I go, since I have no certain knowledge
 " of futurity ? I must act with resolution :

" Since it is written :

" He who is in danger, and finds a way to escape, is truly wise.

" That, said *Yadbhawishya*, which is impossible in nature cannot be
 " done ; that which is natural may naturally be performed ; since this
 " opinion destroys the venom of care, why should we not take so salu-
 " tary a medicine ?

" When *Pratyutpennamati*, therefore, was caught in the net, he sprang
 " with all his force into the water, and disappeared ; while *Yadbhawishya*
 " was taken and killed. Thence I repeated the verse concerning this
 " fish : Let it, therefore, be contrived, that I may go to the bottom of
 " some other lake.

" How, said the geese, canst thou, who creepest on the ground, go
 " safely ? Let me go, answered he, with you through the air. But how,
 " replied the wild geese, can that be contrived ? If you two, said the
 " tortoise, hold a staff in your beaks, I will grasp the middle of it with
 " mine ;

“ mine; and thus you will fly with me through the air. Let this be
“ the contrivance, said the geese; but he who thinks of a measure, must
“ also think of the evil which may ensue: see how the youngest of the
“ foolish baca's were devoured by weasels.

“ How, said the tortoise, did that happen?

“ In the north, said one of the wild geese, near the mountain, called
“ *Gridbracàtā*, or vulture-cliff, on the bank of the river called *Airāvati*,
“ stands a vata-tree; in the hollow of which lived a black serpent, who
“ used to devour the young birds, that nested on the tree. An old baca,
“ hearing the lamentations of the young birds, thus addressed them: Have
“ recourse to this expedient: take some fish, and beginning with the hole
“ of the weasel, or ichneumon, scatter them one by one in a line, 'till
“ you come to the black serpent's hole; the ichneumon, eager for food,
“ will then come, and necessarily seeing the snake, to whom they bear
“ a natural enmity, will destroy him. This was done, and the ichneu-
“ mons tracing the fish to the cavity of the tree in which the serpent
“ dwelled, devoured him: soon after, a cry of the young baca's was
“ heard, and the ichneumons having climbed up the tree, destroyed
“ them all.

“ Therefore, I said: He who thinks of any measure, must also think
“ of the evil which may ensue it.

“ If thou be taken, therefore, by us in the manner proposed by thee,
“ thou wilt be seen by some of the human race, who will exclaim, how
“ wonderful! and if, on hearing this, thou attemptest to give an answer,
“ thou wilt inevitably perish: by all means, therefore, remain here.

“ Am I, then, said the tortoise, a perfect idiot? how so! I will say
“ nothing; have I no regard for myself?

“ The

“ The wild geese finding him obstinate, raised him on a pole in the
“ air ; and the herdsman's boys, perceiving a tortoise in so strange a
“ situation, ran halloing and exclaiming : When he falls we will dress
“ him, and feast on him ! Another said : We will carry him hence alive !
“ The tortoise, hearing these ill-natured speeches, was so provoked, that
“ he forgot his former resolution, and said, in a passion : Eat ashes, you
“ young cow-keepers ! No sooner had he opened his beak, than he fell,
“ and was killed by them. Therefore, I said : He who follows not the
“ advice of his faithful friends, falls like the foolish tortoise.

“ Soon after a baca, who had been sent as a scout, came and said :
“ O king ! I had before given my advice, that the castle should be evacu-
“ ated ; this is the fruit of neglecting it :—the fortress was burnt by that
“ villain *Meghaverna*, who was employed, for that purpose, by the
“ enemy's prime minister the vulture.

“ Oh ! interrupted the king, with a deep sigh, he who confides in a
“ foe, who honours or benefits him, resembles a man who sleeps on the
“ top of a tree, and when he falls, is reproved by all.

“ The baca continued : When *Meghaverna*, O king ! had burnt the
“ fortress, he went to the camp of *Chitraverna*, who was extremely
“ gracious to him, and said : *Meghaverna* shall be appointed raja of *Car-*
“ *puradwipa* :

“ Since it written :

“ When a servant has acted well, his good work ought not to perish ;
“ but he should be made happy by rewards, by affection, by kind words,
“ and by kind looks.

“ Your

“ Your majesty hears, said the chacra, what the spy says. What followed? said the king. Sir, answered the baca, the vulture then said: “ O king! that would, on every account, be improper; how can he, on “ whom dominion is conferred, be reduced if he should be ungrateful? “ excessive favours, to low persons, are like water on sand:—an ignoble “ person, O king! ought never to be placed in the station of the great.

“ Since it is written:

“ A mean person, raised to a high degree, seeks the ruin of his lord: “ as the mouse, having attained the form and force of a tiger, went to “ kill the faint.

“ How, said *Chitraverna*, did that happen?

“ There is, answered *Duraderfin*, in the sacred grove of the divine “ philosopher *Gautama*, a faint, named *Mahatapas*, eminently pious; “ who seeing a young mouse fall near his dwelling, from the bill of a “ crow, benevolently took him up, and fed him with grains of rice. “ One day, when the mouse was preparing to eat, a cat appeared, and “ the kind faint, by the power of his devotion, changed the mouse into “ a cat. This new animal was, soon afterwards, terrified by a dog, and “ was made one of the same species. At length, being in dread of a “ tiger, he became a tiger, through the prayers of the faint; who then “ perceived the difference between a tiger and a rat. All the people “ said: See how the piety of the faint has changed yon rat into a tiger! “ Then the ungrateful beast thought within himself: As long as the “ faint lives, this defamatory discourse will be held concerning my form: “ with this thought, he ran towards his benefactor and attempted to kill “ him, but was changed, by a short prayer of the heaven-eyed sage, into “ his natural shape. Thence, I said: A mean person, raised to a high degree, seeks the ruin of his lord!

“ Yet

“ Yet more :

“ This promotion, O king ! should not easily be made : immoderate
“ ambition is ever prejudicial.

“ Hear the poet :

“ A baca, who was eagerly devouring fish, the largest, and the least,
“ and those of a middling size, was herself caught and killed by a crab.

“ How, said *Chitraverna*, happened that ?

“ The vulture answered : In the country of *Malavi*, is a pool called
“ *Pedmagarbha*, or *Lotus-bearing* ; where an old baca stood lamenting
“ his want of strength ; and was seen, from a distance, by a crab, who
“ said : Why dost thou stand forrowing in the pool without food ? Fish,
“ answered he, is my sustenance ; the pool is now almost dry, and the
“ fish will be killed by the fishermen ;—this resolution I heard from all
“ the fishers on one side of the town : so that it is decreed, that for want
“ of food I must inevitably perish ;—this thought, even now, takes away
“ my appetite. When the crab heard this, all the fish thus thought :
“ Is the baca become our benefactor on this occasion ? he then must be
“ consulted how we are to act.

“ Since it is written :

“ Let an union be formed with a foe, who benefits, not with a
“ friend who injures thee : a view must be duly made of benefits and
“ injuries.

“ They then said : O baca ! what means are there of safety ? None
“ more certain, answered he, than sinking to the bottom of another
“ stream,

“ stream, whither I will carry you. They said : Be it so. Now the
“ cruel bird, taking them up, devoured them one by one. The crab
“ seeing the pool without fish, said to the baca : Take me too. And
“ the bird, eager to taste the delicate flesh of the crab, took him up, with
“ great marks of respect, but flew down with him to the ground, in order
“ to feast on him. The crab, seeing the ground covered with the bones
“ of the fish, thus thought :

“ This base baca, no doubt, has devoured them all. Alas ! I am
“ killed ! O me, unfortunate ! Be it so : then let me act according to
“ circumstances :

“ Since :

“ We should only fear, when danger is distant : when it is present, we
“ should fight like heroes !

“ Again :

“ When a hero, fortunate in combat, sees nothing left that is dear
“ to him ; then, if he be wise, he perishes together with his foe.

“ Yet more :

“ When, without fighting, death is inevitable ; and with fighting,
“ life is doubtful ; that, say the wise, is the only moment for battle.

“ With this resolution, the crab, as soon as the greedy bird extended
“ his beak, for the purpose of destroying him, turned round, and, with
“ his strong claws, tore the baca's throat so, that he was killed. Thence,
[“ I said : The baca was destroyed by feasting on fish too greedily.

“ *Chitraverna*

“ *Cbitraverna* replied : Now hear ! my counsellor, listen ! This is my
 “ object : When *Meghaverna* shall be viceroy of *Carpuradwipa*, whatever
 “ precious things the country produces, those he will send to us ; and we,
 “ in eager expectation of them, will remain in the *Vindhya* mountain.
 “ *Duradurfin* rejoined, with a smile : O king ! he who delights himself
 “ with the thought of what he does not possess, will be like the brah-
 “ men who broke his pot.

“ How did that happen ? said the king.

“ On the bank of the river *Apunarbbavá* (or giving exemption from
 “ any future birth) to the north of the city *Dèvacotara*, lived a Brahmen,
 “ whose name is *Dévasarman*. He, at the beginning of the month,
 “ when the sun enters the ram, received from a pious man, a little pot
 “ full of wheat bread, which he took with him to a potter’s house, in part
 “ of which he resided. Before he went to rest, he thus said within him-
 “ self : If I sell this pot, I shall receive ten cowries, with which I shall
 “ buy larger pots, and then larger, till my wealth will increase, and I
 “ become a feller of areca-nut and cloth : when I am worth a lac of
 “ rupees, I will marry four wives ; to the youngest and handsomest of
 “ whom I shall attach myself, in preference to the rest. This will excite
 “ the jealousy of her companions, who will begin to quarrel with her ;
 “ but I, inflamed with wrath, shall strike them with a stick, thus : so say-
 “ ing, he threw his stick, and broke his pot, together with other vessels :
 “ the noise of which alarmed the potter ; who, entering the room, and
 “ seeing the mischief done, turned the disappointed Brahmen out of his
 “ house. Thence, I said : He who delights, &c. &c.

“ The king then spoke thus to the vulture, in private : O my father !
 “ advise what is now to be done. The vulture said : The ministers of a
 “ king are blamed, when he goes astray, like the drivers of a mad elephant !

“ Hear,

“ Hear, O king !

“ Was the enemies castle destroyed by my contrivance, or by thy
“ strength ? By thy stratagem, answered the king. My order, said the
“ vulture, was executed.

“ Let us now, therefore, return to our own country ; least when the rainy
“ season shall begin, he should attack us again with equal force ; at a time
“ when our retreat will be difficult. Now, therefore, for the sake of our
“ happiness and ease, let us make peace and retire. That the castle is
“ destroyed, and fame acquired, is an advantage procured by me.

“ Since :

“ He who offers his virtuous services, and without regarding what is
“ pleasing or displeasing to his lord, speaks disagreeable truths, is a bene-
“ factor to his prince.

“ Besides :

“ Let a king seek peace for the love of religion ; in war, success is
“ doubtful ; but in making peace, let no man doubt. So said *Vribaspati*.

“ Again :

“ What wise man, if he stand agitated by doubt in uncertain war, can
“ preserve his friend, his forces, his kingdom, his own life, or his fame ?

“ Why, said the king, was not this advice given before ? In what respect
“ said the minister, was not my opinion completely known to thee ? This
“ war was not begun by my advice. For the king *Hiranyagarbha* is of
“ a peaceful, not a warlike disposition.

“ Thus the poet says:

“ A true-speaking man, a virtuous man, a just man, a vicious man,
“ he who has many brothers, and he who has obtained victory in many
“ wars; with these seven, peace should be made.

“ 1. He who keeps truth inviolate, will not alter his nature after a
“ peace, even if he lose his life.

“ 2. A good man most assuredly will not become bad.

“ 3. For a just man all the world fight. A just prince prevents cala-
“ mity by love of his subjects, and of virtue.

“ 4. Peace should be made even with a bad man, when ruin is im-
“ pending; not for the sake of his protection, but from consideration of
“ the time.

“ 5. As dust, when intermixed with thorns, cannot be trampled on,
“ so a king, who has many brethren, cannot be subdued.

“ 6. It is not adviseable to fight with a hero: even a cloud cannot go
“ in opposition to the wind.

“ 7. Neither the enmity nor the friendship of those two princes,
“ whose wealth, and whose forces are equal, can be very great, or very
“ little.

“ 8. Like the son of *Jamadagni*, every king, who in all places, and at
“ all times, obtains victory in battle, enjoys glory.

“ 9. He who makes peace with a prince who has been victorious in
“ many

“ many wars, assuredly overcomes his own enemies. This king, there-
 “ fore, who has been often a conqueror, is he, with whom peace ought
 “ to be made.

“ When the *Chakra* had heard this conversation repeated by the spy,
 “ he said: Now we know the whole, go a second time, and return when
 “ you have learnt all that has been done. I go, Sir, said the *baca*, and
 “ when I have informed myself, will speedily return. *Hiranyagarbha*
 “ then said to his minister: I am desirous of knowing from thee, with
 “ what sorts of princes peace ought to be concluded. The *Chakra* spoke
 “ thus: O king! I will enumerate them:

“ Hear the poet:

“ A boy, an old man, one long sick, an outcast, a coward, a cause of
 “ terror, a covetous man, and one not covetous, an ill-natured man, and
 “ one who abounds in sensual gratifications, he who has many schemes
 “ and different counsels, a contemner of the gods and of priests, one who
 “ denies providence (or fate), and one who relies wholly on it, one who
 “ gains a little by beggars, and one who has a miserable army, one who
 “ is in a foreign country, one who has many foes, and he who takes
 “ not the right time for action, and he who is void of truth and justice:

“ With these twenty persons, let not a prudent king make peace, or
 “ only with a view to their destruction; for these, in a short time, are
 “ sure to fall under the power of their enemy:

“ Since:

“ Men seek not to war with a boy, on account of his weakness; nor
 “ with an old man, or invalid, through want of power in them to transact
 “ business.

“ An

" An outcast is deprived of happiness ; even they of his own family
 " seek to destroy him for their own credit. A coward, through aversion
 " from war, naturally flees away ; and in battle, even a hero is mixed
 " in flight with cowards. The subjects of a miser will not fight, because
 " they share not his riches ; and those of him who is not covetous, fight
 " only through gifts. An ill-natured man is deserted in battle by better
 " natures ; and the sensualist who abounds in pleasure is overcome by
 " it. He who has many projects of his own, is a foe to good counsellors.
 " A contemner of the gods, and priests, as well as the opposer of provi-
 " dence, is constantly tormented with grief by the force of his own im-
 " piety. Providence is certainly the giver of wealth, and of poverty ; let
 " a man, therefore, meditate first of all on providence ; but not so as to
 " prevent his own exertions.

" A miserable beggar is self-tormented ; and he who has a bad army,
 " has no power to fight. A foreign invader is soon overpowered, even
 " by a weak foe.

" As the shark, monster of the lake, though small, seizes the king of
 " elephants, he who trembles among a multitude of foes (like a pigeon
 " among eagles), in whatsoever path he treads, is assuredly destroyed,
 " even by him with whom he travels in the road.

" He who engages unseasonably is overcome by him who fights at a
 " proper time ; as the crow was reduced to weakness by the owl, who
 " attacked him by night : never make peace with a man void of truth
 " and justice, who, let his treaty be ever so sacred, will soon be led by
 " his improbity to a violation of it.

" I will repeat yet more :

" There are six qualities ; peace, war, halting, moving, asking quarter,
 " and

“ and duplicity : five bodies of counsel ; on the promotion of a work ac-
“ tually begun, on the distinction of men, things, riches, place, and time :
“ four remedies ; equanimity, punishment, alliance, gifts : three powers ;
“ the power of the council, the power of the army, and the power of the
“ fovereign : by confidering all which, they who defire conquest become
“ great.

“ Since :

“ That fortune which cannot be purchafed, even at the price of life,
“ voluntarily feeks (though changeable by nature) the palace of kings,
“ who underftand good morals.

“ It is therefore faid :

“ He who always enjoys his wealth equally, who has, in parts, con-
“ cealed fpies, and counfels perfectly fecret, who fays nothing unkind to
“ any living creature, rules the earth for an infinity of ages.

“ But, O king ! if peace fhould be propofed by the great counfellor,
“ the vulture ; yet, fince it will proceed from the arrogance of conquest
“ lately obtained, it is not to be accepted.

“ This muft be done : The farás, named *Mahabala*, who reigns in
“ *Sinhaladwipa*, is our friend ; let his refentment henceforth be raifed
“ againft *Jambudwipa*.

“ Since the poet fays :

“ Preferving his fecret unrevealed, and his forces well united, let a
“ hero march, and annoy his enemy ; for hot iron may form an union
“ with hot iron ; fo he, by equal fiercenefs, at a time when his foe is
“ fierce, may conclude a firm peace.

“ The

" The king, having said, Be it so, sent a baca, named *Vichetti*, to *Sin-*
 " *baladwipa* with a letter, well conceited. At this time returned the
 " spy, who had before been sent, and said to *Hiranyagarbha*: Hear, O
 " king! what was the discourse in the counsel of thy foes:—The vulture
 " said: *Meghaverna*, who remained there so long, well knows whether
 " king *Hiranyagarbha* have a pacifick disposition, or not. The crow,
 " being then asked by king *Chitraverna*, what sort of a prince *Hiranya-*
 " *garbha* was, and what was the character of his minister the *Chakra*, thus
 " answered: O king! *Hiranyagarbha* speaks the truth as faithfully as
 " *Yuddishtira*; and a minister equal to the *Chakra* is no where to be
 " seen. If it be so, said the king, how could such a phoenix be deceived
 " by thee? Sir, said *Meghaverna*, what skill is required to beguile those
 " inspired with confidence? What manhood is there in killing a child,
 " who climbs into the lap, and sleeps there?

" Hear, O king! at first sight I was detected by the minister; but the
 " king, who has great benignity, and confident hopes, was deceived by
 " me.

" Thence it is said:

" He who thinks a knave as honest as himself, is deceived by him, like
 " the Brahmen who was ruined.

" How, said the king, did that happen?

" In the grove of *Gautama*, answered *Meghaverna*, lived a Brahmen,
 " named *Praśtutayajanya*, or going-to-sacrifice; who, having bought
 " a goat in another village, and carrying it home on his shoulder, was
 " seen by three rogues, who said to one another: If, by some contriv-
 " ance, that goat can be taken from him, it will be great pleasure to us;
 " with this view they severally sat down in the road under three trees,
 " at

“ at some distance from each other, by which the Brahmen was to pass.
“ One of the scoundrels called out, as he was going by : O Brahmen !
“ why dost thou carry that dog on thy shoulder ?

“ It is not a dog, answered the Brahmen ; it is a goat for a sacrifice.
“ Then, at the distance of a *crófá*, the second knave put the same question to him ; which, when the Brahmen heard, he threw the goat
“ down on the ground, and looking at it again and again, placed it a
“ second time on his shoulder, and walking on with a mind waving like
“ a fwing :

“ For it is said :

“ The minds, even of the virtuous, are agitated by the words of the
“ base ; as *Chitracarna*, confiding in the three villains, miserably perished.

“ How was that ? said the king.

“ A lion, called *Madòtcata*, answered *Meghaverna*, reigned in part of
“ a certain forest, having three ministers, a crow, a tiger, and a shakàl ;
“ these three going together through the wood, saw a camel, to whom
“ they said : Who art thou ? whence dost thou come ? He gave them a
“ full account of his condition, and was conducted by them to the lion ;
“ who had him fear nothing, and gave him the title of *Chitracarna*, or
“ wonderful-ears, and kept him in his service. One day the lion being
“ sick, by reason of the late rains, the shakàl, and the rest, had procured
“ no food, and they said to one another : It is resolved, that our master
“ must kill the camel, what have we to do with that thorn-eater ? How,
“ said the tiger, can this be, since our lord has given him his word, that
“ he shall be protected ? When our prince is hungry, said the crow, he
“ will not scruple to commit a crime :

“ For :

“ For :

“ A woman, tormented with hunger, forsakes her own son ; and a
“ serpent, through the same torment, devours her own eggs : what crime
“ will not an hungry animal commit ? Even men, through hunger, be-
“ come inhuman !

“ With these ideas they all approached the lion, who asked if they
“ had provided his food. We have used extreme diligence, sir, said the
“ crow, but have found no prey. How then, said the lion, shall my life
“ be supported ? Without food, said the crow, all of us must perish ! Is
“ any, then, to be had ? said the lion. The crow whispered in his ear,
“ *Chitracarna*. On hearing which, the lion stroked his ears, and then
“ struck the ground, saying : How is that practicable, when I have given
“ my word to protect him ?

“ It is written :

“ No such fruit is gathered, say the wise, from giving cattle, land, or
“ food ; no, not even from giving our own lives, as from giving protec-
“ tion to the helpless.

“ Besides :

“ The sacrifice of a horse, with all the magnificence that could be
“ wished, ensures not so great reward as the preservation of a suppliant
“ who seeks protection.

“ He is not, said the crow, to be slain by our sovereign ; but we will
“ contrive, that he shall give up his own body to be eat by thee. When
“ the lion heard this, he remained silent. Then the crow, at a proper
“ time, assembled all the courtiers, and went with them to the lion, say-
“ ing

“ ing to him : O king ! no food is provided, our sovereign is dying with
 “ hunger ; let him eat my flesh.

“ Since :

“ A minister, however opulent, cannot live if he be deserted by his
 “ lord. When life is departing, what can a physician do, even if he be
 “ *Dhanwantari* himself ? All ministers have their lord for their root ; and
 “ while trees have roots, men gather fruits, by taking care of them.

“ My good friend, said the lion, it were better for me to resign my
 “ life, than to do such an act.

“ The shakàl made the same offer, and the lion said : By no means.
 “ Then the tiger said : Let my lord feed on my body. That, said the
 “ lion, can never be done. The camel then, having gained confidence,
 “ offered in like manner to make a present of his life ; and he had no
 “ sooner uttered the words, than the tiger tore open his belly, and the
 “ rest devoured him.

“ Thence, I say : The mind even of the virtuous is shaken, &c.

“ But to proceed. The Brahmen hearing the same question from the
 “ third villain, was persuaded that the goat was really a dog, and taking
 “ it from his back, threw it down, and having washed himself, returned
 “ to his home ; while the three scoundrels took the goat to their own
 “ house, and feasted on it. Therefore, I said : He who thinks a knave
 “ as honest as himself, and so forth.

“ O *Meghaverna* ! said the king, how couldst thou remain so long in
 “ the midst of enemies ? And how didst thou recommend thyself ? Sir,
 “ answered the crow, what cannot he perform, who desires eagerly to
 “ accomplish his master's business, or his own necessary affairs ?

" Since it is written :

" What burned wood, O king ! doth not the people bear on their heads ?
 " As the current of the river, by gradual washing, cuts away the roots of
 " trees.

" It is therefore said :

" Let a wise man, who has engaged in an enterprise, carry even his
 " enemy on his shoulder ; like the snake who devoured the frog.

" The king asked, how that happened ; and *Meghaverma* thus answered :

" In the territory of *Magadha*, in an uncultivated garden, lived a snake
 " called *Mandaviserpa*, who, through extreme old age, could not, even
 " with great labour, gain his food, and fell down on the border of a
 " pond ; where a frog saw him from a distance, and said : Why dost thou
 " lament thus for want of food ? The serpent, in a desponding mood,
 " said : My good friend, why dost thou enquire into the condition of a
 " malignant animal like me ? Upon this, the frog, highly pleased, said :
 " At least, answer me.

" There was, answered he, in *Brahmapur*, a youth, named *Súfila*,
 " twenty years old, the son of a Brahmen, named *Caundilya* : this young
 " man was accomplished with every virtue, but through his evil destiny
 " was bitten by my venomous tooth. When *Caundilya* saw his son dead,
 " he fainted through grief, and falling on the ground, lay greatly agi-
 " tated : soon after his kinsmen, inhabitants of *Brahmapur*, assembled,
 " and sat down by him.

" As it is written :

" He

“ He who adheres in pleasure, and in misery, in misfortune, and in
“ the conflict of enemies, in the king’s gate, and in the cemetery, is truly
“ a kinsman.

“ Then a holy man, named *Capila*, said : Thou art a fool, *Caundilya* :
“ dost thou lament for this ?

“ Hear :

“ First, the nurse lays the new born child in her lap (there is no stabi-
“ lity) : and then the mother. What use is there in sorrow ?

“ 2. Whither are the lords of the world gone, with their armies, their
“ valour, and their equipage ? The earth itself remains to this day a wit-
“ ness of their separation from it.

“ 3. The body receives with it the principles of destruction ; wealth
“ is the cause of dangers ; they who arrive, must certainly return ; every
“ thing is by nature unstable.

“ 4. This body lasts but a moment ; it perishes ; it is seen no more ;
“ as a pot of unbaked clay is broken standing in water.

“ 5. Youth, beauty, life, collected wealth, dominion, the society of
“ friends, are all uncertain ; in this the wise are not deceived.

“ 6. As wood meets wood in the great ocean, and after the meeting is
“ separated, such is the meeting of animated beings.

“ 7. The body is composed of five things, and hastens to death, the
“ dissolution of five things ; so it obtains (what wonder) its proper re-
“ ceptacle.

“ 8. All

“ 8. All beings, O son of *Bharet*, were invifible in their primary ftate ;
“ became in their middle ftate, vifible ; and by death are made invifible
“ again ; what wonder !

“ 9. As long as a living creature holds his kinfmen dear to his foul,
“ fo long the iron dibbles of affliction are fticken on his bofom.

“ 10. The company of any being with another is not permanent ;
“ fince his own body lafts not, what has he to do with other beings all
“ different in quality ?

“ 11. Society itfelf implies, no doubt, the exiftence of feparation ; like
“ the fucceffion of birth, and death, which cannot be doubted.

“ 12. In the very infant of enjoying the fociety of friends, it is im-
“ proper to drefs food, which cannot be adminiftered, with fafety, in fuch
“ a diftemper.

“ 13. Night and day, feizing the lives of mortals, pafs on continually ;
“ like the current of a ftream, and return no more.

“ 14. The fociety of the good in this world is like the pleafure of eat-
“ ing delicate food ; it is clofely connected with the pain of feparation.

“ 15. Thence it is, that the virtuous never feek a clofe connection
“ with the virtuous ; becaufe, when the root of the mind is torn afunder,
“ there is no remedy.

“ 16. Good actions have been performed by *Sagar*, and other kings ;
“ but good as the actions were, they have been deftroyed.

“ 17. By meditating and meditating on the fevere death of an excel-
“ lent

"lent man, like a leathern bandage, moistened by the rains, we see that
"all our cares are of no avail.

"18. From the first night, in which men of valour and virtue take
"their station in the womb, from that very instant in a continued series,
"from day to day, they approach the mansion of death.

"In the opinion, therefore, of those who understand this world, excess
"of grief proceeds from excess of ignorance.

"Observe :

"If ignorance be not the cause, but bare separation, in what respect
"can it cease.

"Reflect, therefore, here below, on the first principle ; and dismiss all
"sorrow for worldly affairs :

"Since :

"When sons uselessly born, and uselessly falling, rend our bosoms,
"and cause excess in affliction, the sovereign remedy is not to think of
"them.

"Caundilya received a ray of divine knowledge from the speech of
"Capila, whom he thus addressed :

"Holy man, by thy favour my sorrow is diminished ; but my impure
"breast, being washed in the nectareous streams of thy pure counsel,
"from the bright beams of the lunar circle of thy mouth, is still a little
"tossed by the waves of sorrow : impart, therefore, a remedy for its in-
"ternal wound.

"Capila

“ *Capila* said :

“ When a father, a son, or a friend, is overcome by death, they who
 “ know how to assuage the pain of their bowels by abstinence, are, ne-
 “ vertheless, tormented with grief : but the removal of the wife from this
 “ base world, which never ultimately affords pleasure, should strengthen
 “ devotion, and multiply the delights of holiness.

“ *Caundilya*, hearing this, rose up, and said :

“ What, then have I to do with the infernal habitation of my vain
 “ house ? I go instantly to the desert.

“ *Capila* rejoined :

“ 1. He, whose hands, feet, and mind, are completely subdued ; who
 “ has knowledge, piety, and reputation, gathers the fruit of a pil-
 “ grimage :

“ 2. Even in a forest, where men are inflamed with passion, crimes
 “ prevail ; and in a private mansion, where the five members are sub-
 “ dued, piety dwells : the house of a man, employed in virtuous actions,
 “ and free from passions, is a desert of devotion.

“ 3. Let even a wretched man practise virtue, wherever he enjoys one
 “ of the three or four religious degrees ; let him be even-minded with
 “ all created beings, and that disposition will be the source of virtue.

“ Thus, too, it is said :

“ 1. They, whose food is only to sustain life, whose voice is only to
 “ speak truth, pass with ease through great difficulties.

“ 2. Thyself

“ 2. Thyself art a river ; the quay of which is the virtue of subduing
“ thy appetites ; the waters, truth ; the bank, good morals ; the waves,
“ general benevolence. Here wash thy lips, O son of *Pandu* ! for the
“ interior soul is not purified by water !

“ Hear, also, what is added :

“ Great is the joy of him who leaves this base world ; abounding in
“ the pains of birth, death, old age, and disease ! Grief exists ; not
“ true joy : let this be considered. The cure of an afflicted mind, is
“ truly named joy.

“ It is so, said *Caundilya*, it is so.

“ Then, continued the serpent, I was cursed by that sorrowful Brahmen,
“ in these words : From this day thou shalt be the bearer of frogs !

“ After which, *Capila* said again : Hear :

“ Connection with the world should be avoided by every soul : but if
“ it cannot be avoided, let it be formed with the virtuous ; for such a
“ connection will remedy the evil.

“ Again :

“ When divine knowledge, unattended with the qualities of action,
“ dwells in the mind ; then is the Great One attained, and the soul is
“ absorbed in him.

“ Again :

“ Remembering continually, that God, who wears a diadem, ear-rings,
“ bracelets, and a garland of blue lotus flowers, and assuaging thy pain,
“ as

“ as with cool water from the river’s bed, in the heats of summer ; ap-
 “ proach the Great One, and enjoy the delight of thy soul.

“ Piety, devotion, content, and the other virtues, must be nourished
 “ like children.

“ On hearing this, *Caundilya* was relieved from the fire of grief, by the
 “ nectar of sage counsel ; and, as the holy ordinance directs, took up the
 “ staff of a *Vairagia* : whilst I, through a Brahmen’s execration, re-
 “ main here as the bearer of frogs.

“ The frog, who heard this narration, went and repeated the whole to
 “ the prince of his diminutive race ; who went and mounted the ser-
 “ pent’s back ; and he, having received, wonderfully moved his con-
 “ cealed feet. Another day, when the prince of frogs perceived that
 “ his bearer could hardly move, he said : Why dost thou run so ill to-
 “ day ? O king ! said the snake, I am weak through want of food. By
 “ my order, said the monarch, go and feed on my subjects. After this,
 “ the serpent feasted every day, without fear, on delicate frogs ; and at
 “ length, seeing none of the race remaining in the pool, devoured the
 “ king himself. Thence, I say : Let a wise man carry even a frog on
 “ his shoulder, &c. &c.

“ Apply now, said *Meghaverna*, the moral of this ancient story.

“ King *Hiranyagarbha* must be appeased ; let peace be concluded :
 “ this is my opinion. What a judgment is yours, said the king ; is
 “ not that gander conquered by us ? If then he live under my com-
 “ mand, let him live ; if not, war must reduce him.

“ After this consultation, a parrot arrived from *Jambudwipa*, with in-
 “ telligence, that the faràs, who reigned over *Senbaladwipa*, was ad-
 “ vancing

“ vancing to the isle of *Iambu*, and claiming the sovereignty of it.
 “ *Chitraverna* exclaimed, with agitation: What! What! The parrot
 “ repeated the news just before mentioned; and the vulture said, within
 “ himself: O excellent minister! excellent! Let him march, said the
 “ king, in a rage, I will march too, and pluck him up by the roots!

“ Oh! said the minister, smiling, let not an idle noise be made, like
 “ that of a wintry cloud: a great prince takes care not to make known
 “ the force or weakness of a stranger.

“ Besides:

“ Let not a prince assemble together a number of destroyers: even a
 “ proud serpent has been destroyed by a multitude of little insects.
 “ O king! why should thou go without having concluded a peace? If
 “ I march, the *Chakra* will assail my rear.

“ Yet farther:

“ He who knows not the first principle, and first cause; who is, be-
 “ sides, in subjection to wrath; is tormented like a fool: as the Brahmen
 “ was who killed the ichneumon.

“ How, said the peacock, happened that?

“ There is, answered *Duradursin*, in the city of *Ujjayani*, a Brahmen
 “ named *Madava*, who had a wife, who having stationed him to watch
 “ their only daughter, an infant, went to bathe herself, in adoration of
 “ *Sbashti* (*Lucina*); soon after the raja sent for the Brahmen, to perform
 “ the ceremonies of the *Párvana Shradhbà* (or rites) to all his ancestors;
 “ and he, spying another Brahmen, thus thought, on account of his

“ poverty, within his mind: If I go not speedily, some other, having
 “ heard of this, will procure the *Sbraddhà*.

“ As it is said :

“ If we take not soon, give not soon, perform not soon, time gives
 “ the benefit of it to another.

“ What must be done? Yet there is no other person at home to take
 “ care of the child. What then can I do? Why should I not depart,
 “ having committed the care of my child to the ichneumon, whom I
 “ have so long cherished, and who is not distinguished from my own
 “ offspring? Having done so, he departed. Soon after which, the
 “ ichneumon seeing a black serpent near the child, killed him, and cut
 “ him in pieces; and then seeing the Brahmen returning, went hastily,
 “ his mouth and paws being smeared with blood, and fell at the feet of
 “ his master; who, seeing him in that condition, and saying to himself:
 “ He has devoured my child! stamped on him, and killed him. After-
 “ wards, going into his house, he saw his child asleep, and the dead snake
 “ lying by him; at looking, therefore, at the ichneumon, his benefactor,
 “ he was exceedingly afflicted. Thence, I say: He who knows not the
 “ cause and principle of actions, &c.

“ Again :

“ Lust, wrath, covetousness, extreme joy, extreme grief, and ebriety:
 “ he who forsakes these six, becomes happy by that desertion.

“ The king said: This, O my minister! is indubitable. Yes, yes,
 “ said he.

“ For :

“ For :

“ Recollection of the uses of others, judgment, certain knowledge,
“ firmness, secrecy, are the principal qualities of a counsellor.

“ Yet more :

“ Let not a man perform an act hastily ; want of circumspection is a
“ great cause of danger : wealth pays homage, even voluntarily, to a
“ man who acts with caution.

“ Therefore, if my advice be now followed, peace must be concluded.

“ Since :

“ If there be even four remedies for an evil, mentioned by the wife, in
“ concluding peace ; the only fruit of them all, that deserves to be
“ reckoned, is : Peace through prosperity, grounded on cordial affection.

“ How, said the king, can this be speedily attained ?

“ Sir, answered he, it will be soon completed.

“ For :

“ Like an earthen pot, a bad man is easily broken, and cannot easily
“ be restored to his former situation : but a virtuous man, like a vase of
“ gold, is broken with difficulty, and easily repaired.

“ Yet more :

“ A fool enjoys pleasure ; but he who distinguishes, with judgment,
“ enjoys

“ enjoys more delight. Even *Brabma* cannot control a man who has
 “ not even a particle of divine knowledge.

“ Now, that *Servajnya*, the king's minister, is so called by excellence;
 “ as I knew before from the discourse of *Meghaverna*; and from having
 “ seen what he has done :

“ Since :

“ Those who are endued with good qualities, and are out of fight,
 “ are always judged by their actions: the acts of the virtuous are, there-
 “ fore, demonstrated by their fruits.

“ The king here said: This dialogue is of no use; let that which
 “ thou judgest best, be done.

“ The great minister, the vulture, having given this counsel, went to
 “ the centre of *Hiranyagarbha's* castle; and a messenger carried the
 “ news of his arrival to the king, saying: O, sir! the great minister of
 “ *Chitraverna* is come hither, for the purpose of making peace.

“ The gander, hearing this intelligence, said: O, my counsellor! is
 “ another ill-designing person again come hither?

“ There is no cause for fear, answered *Servajnya*, smiling, since it is
 “ *Duradurfin*, who is worthy of the greatest confidence: and although
 “ this is often the business of the ill-intentioned, yet no apprehension
 “ should now be raised. Since: In a pool, which reflects the image of
 “ many stars, a wise gander was in a moment deceived. Being desirous
 “ of feasting on the *cumuda* plant, in the night season; afterwards, in
 “ the day-time, he took a white flower for a star, and attempted not to
 “ bite it. Thus, men who have fallen into disappointments, expect it
 “ even from reality.

“ Therefore,

“ Therefore, O king ! as far as you are able, let a present of jewels,
“ and their accompaniments, be prepared in honour to him. This being
“ determined, the vulture being introduced by the *Chacra* with great re-
“ spect, through the door of the palace, was presented to the king, and
“ placed on a magnificent seat.

“ The *Chacravaca* then spoke : O great minister ! enjoy this realm ac-
“ cording to thy desire ; it is at thy service. Even so, said the king. Be
“ it so, said the vulture ; but now an abundance of words will be useless.

“ Since :

“ Let a man purchase a miser with money ; a haughty man with joined
“ hand, and reverence ; a fool with promises ; a wife man with truth.

“ Besides :

“ With affection win a friend, and a kinsman ; thy wife, and servants,
“ with gifts and honours ; with great actions, the powerful !

“ Therefore, at present, let *Chitraverna* make peace, and be dismissed.
“ Declare, said the *Chacra*, on what terms peace is to be concluded.

“ The gander asked : How many sorts of peace are there ? I will
“ innumerate them, said the vulture :

“ Hear :

“ 1. When a prince is engaged in war with a stronger prince, there is
“ no other remedy.

“ 2. When

“ 2. When he is in danger, let him seek peace, and reserve his exertions for another occasion.

“ *Capála*, *Upahara*, *Santana*, *Sangata*, *Upanyasa*, *Praticara*, *Sanyoga*,
 “ *Purshántara*, *Adrista-punya*, *Adishtá*, *Atmavishé*, *Upagraba*, *Pericraya*,
 “ *Uch'lanna*, *Parabhushana*, and *Scandapanya*; these sixteen kinds of
 “ peace are celebrated. Thus have they, who are learned in peace-
 “ making, named sixteen forts of peace.

“ *Capála*, is simply a cessation of hostilities.

“ *Upahara*, is called that which is concluded by presents.

“ *Santana*, is known by having first given up one of the family.

“ *Sangata*, is named that peace which is founded on friendship between good men. It is likewise called *Cáncana*, or golden.

“ *Upanyasa*, prosperity through wealth being given; and thence peace concluded by those empowered to make it.

“ *Praticara*, through benefits conferred and received.

“ *Sanyoga*, where the advantages are equal.

“ *Purshántara*, when two monarchs meet face to face in battle; the wealth of one procures peace.

“ *Adrista-punya*, when after peace, thus bought, the foe joins in a treaty.

“ *Adishtá*, where land is given on one part.

“ *Atmavishé*, that concluded with a king's own forces.

“ *Upagraba*, for the preservation of life.

“ *Pericraya*, by a part or the whole of the treasure.

“ *Uch'lanna*, by giving the most excellent lands.

“ *Parabhushana*, by giving up the fruit arising from the whole territory.

“ *Scandapanya*, where only a part of the produce of the land is given up.

“ Hear

“ Hear now, said the *Chakra* :

“ Whether this person be of my tribe, or of another, is a consideration of the narrow-minded ; but that of the great-minded is to hold all the world related to them.

“ Again :

“ He is truly wise, who considers another's wife as his mother, another's gold as mere clay, and all other creatures as himself.

“ You, said the king, are both eminently wise ; advise me, therefore, what is to be done. What says the poet ? said *Duradurfin*.

“ Who would act unjustly for the sake of a body, which, either to-day, or to-morrow, may be destroyed by anxiety, or disease ?

“ The life of animals is tremulous, as the reflection of the moon in water ; let him then, who, knowing it to be uncertain, perform actions which will hereafter be beneficial to him.

“ Having seen this world, which perishes in an instant, resembling the vapour in a desert, let him seek the society of the virtuous ; both for the sake of his religious duty, and of his own happiness. By my advice, therefore, let us practise these rules.

“ Since :

“ If truth be placed in a balance with a thousand sacrifices of horses, truth will outweigh a thousand sacrifices.

“ Let both princes, having first sworn in the name of truth, conclude that sort of peace which is named *Sangata*. Be it so, said *Servajrija*.

“ The

“ The minister *Duradurfin* was then honoured with gifts of jewels,
“ vests, and rich ornaments ; and, accompanied by the *Charavaca*, went
“ in great joy to his king ; who, being persuaded by his discourse, and
“ having first shewn great respect, and offered many presents to *Hiranya-*
“ *garbha*, consented to the peace, and sent his representative, and friend,
“ to the castle of the gander.

“ *Duradurfin* then spoke thus : The fruits of prosperous conclusion are
“ now attained, and the king *Chitraverna* will return to his own realm
“ of the mountain of *Vindhya*.

“ Each party then retired to his proper station, and each obtained the
“ object which his heart chiefly desired.

“ Now,” said *Vishnusarman*, “ on what else shall I discourse ?”

“ We comprehend,” answered the princes, “ this perfect system of
“ royal duties, through thy favour, and are made happy, O venerable
“ sage ! by thy knowledge.”

“ Let us now, then,” replied the philosopher, “ attend to our religious
“ duties ; and this only shall be added :

“ Let all kings make peace when they have gained a victory ; and
“ may their joy be perpetual ! May the virtuous live without misfor-
“ tune ! and may the celebrity of those who have performed good ac-
“ tions, continue for ever encreasing ! May Virtue display her beauties,
“ like a beloved mistress, on your bosoms ! May she kiss your lips, and
“ live with you long attended by the fame of universal benevolence !
“ And may the burden-bearing earth, attended with fresh seasons, re-
“ main for your gratification !”

THE

THE
ENCHANTED FRUIT;

OR,

THE HINDU WIFE:

AN ANTEDILUVIAN TALE.

WRITTEN IN THE PROVINCE OF BAHAR.

VOL. VI.

A A

ENCHANTED FRUIT

THE HINDU WIFE

AN ANTIQUE TALE

WRITTEN IN THE PROVINCE OF BAHAR

THE ENCHANTED FRUIT;

OR,

THE HINDU WIFE.

‘ O LOVELY age*, by *Brabhens* fam’d
‘ Pure *Setye Yug*† in *Sanscrit* nam’d!
‘ Delightful! Not for cups of *gold*,
‘ Or wives *a thousand centuries* old;
‘ Or men, degenerate now and small,
‘ Then *one and twenty cubits* tall:
‘ Not that plump *cows* full udders bore,
‘ And bowls with *holy curd*‡ ran o’er;
‘ Not that, by Deities defended
‘ *Fish, Boar, Snake, Lion*§, heav’n-descended,
‘ Learn’d *Pendits*, now grown sticks and clods,
‘ Redde fast the *Nagry of the Gods* ||
‘ And laymen, faithful to *Narayn***
‘ Believ’d in *Brabmā*’s mystick strain††;

* A parody on the Ode in *Tasso’s Aminta*, beginning, *O bella età dell’ oro!*

† The *Golden Age* of the *Hindus*.

‡ Called *Jogbrát*, the food of *CRISHNA* in his infancy and youth.

§ The four first *Avatárs*, or *Incarnations* of the *Divine Spirit*.

|| The *Sanscrit*, or *Sengscrit*, is written in letters so named.

** *Narayn* or *Naráyan*, the *spirit* of *God*.

†† The *Vayds*, or *Sacred Writings* of *Brabma*, called *Rig, Sám, and Yejar*: doubts have been raised concerning the authority of the *fourth*, or *At’herwen, Vayd*.

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1.
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‘ Not

' Not that all Subjects spoke plain truth,
 ' While *Rajas* cherish'd eld and youth,
 ' No—yet delightful times! because
 ' *Nature* then reign'd, and *Nature's Laws*;
 ' When females of the softest kind
 ' Were unaffected, unconfin'd;
 ' And this grand rule from none was hidden*;
 ' WHAT PLEASETH, HATH NO LAW FORBIDDEN.'

Thus, with a lyre in *India* strung,
Aminta's poet would have fung;
 And thus too, in a modest way,
 All virtuous males will sing or say:
 But swarthy nymphs of *Hindustan*
 Look deeper than short-sighted man,
 And thus, in some poetick chime,
 Would speak with reason, as with rhyme:
 ' O lovelier age, by *Brabhmens* fam'd,
 ' Gay *Dwápar Yug*† in *Sanscrit* nam'd!
 ' Delightful! though impure with *brass*
 ' In many a green ill-scented mass;
 ' Though husbands, but *sev'n* cubits high,
 ' Must in *a thousand summers* die;
 ' Though, in the lives of dwindled men,
 ' *Ten* parts were Sin; Religion, *ten*;
 ' Though *cows* would rarely fill the pail,
 ' But made th' expected creambowl fail;
 ' Though lazy *Pendits* ill could read
 ' (No care of ours) their *Yejar Veid*;

* "Se piace, e' lice." *Tasso*.

† The *Braxen Age*, or that in which Vice and Virtue were in *equal* proportion.

' Though

' Though *Rajas* look'd a little proud,
 ' And *Ranies* rather spoke too loud ;
 ' Though *Gods*, display'd to mortal view
 ' In mortal forms, were only *two* ;
 ' (Yet *CRISHNA**, sweetest youth, was one,
 ' *Crishna*, whose cheeks outblaz'd the sun)
 ' Delightful, ne'ertheless ! because
 ' Not bound by vile unnatural laws,
 ' Which curse this age from *Cáley*† nam'd,
 ' By some base woman-hater fram'd.
 ' Prepost'rous ! that one biped vain
 ' Should drag ten house-wives in his train,
 ' And stuff them in a gaudy cage,
 ' Slaves to weak lust or potent rage !
 ' Not such the *Dwáper Yug* ! oh then
 ' ONE BUXOM DAME MIGHT WED FIVE MEN.'

True History, in solemn terms,
 This Philosophick lore confirms ;
 For *India* once, as now cold *Tibet* ‡,
 A groupe unusual might exhibit,
 Of sev'ral husbands, free from strife,
 Link'd fairly to a single wife !
 Thus Botanists, with eyes acute
 To see prolifick dust minute,
 Taught by their learned northern *Brahmen* §
 To class by *pistil* and by *stamen*,

* The *Apollo* of *India*.

† The *Earthen* Age, or that of *Caly* or *Impurity* : this verse alludes to *Cáley*, the *Hecate* of the *Indians*.

‡ See the accounts published in the *Philosophical Transactions* from the papers of Mr. *Bogle*.

§ *Linnaeus*.

Produce from nature's rich dominion
 Flow'rs *Polyandrian Monogynian*,
 Where embryo blossoms, fruits, and leaves
Twenty prepare, and ONE receives.

But, lest my word should nought avail,
 Ye Fair, to no unholy tale
 Attend. * *Five thousand* years † ago,
 As annals in *Benares* show,
 When *Pándu* chiefs with *Curus* fought ‡,
 And each the throne imperial fought,
 Five brothers of the regal line
 Blaz'd high with qualities divine.
 The first a prince without his peer,
 Just, pious, lib'ral *Yudhishtir* §;
 Then *Erjun*, to the base a rod,
 An Hero fav'ur'd by a God ||;
Bheima, like mountain-leopard strong,
 Unrival'd in th' embattled throng,
 Bold *Nacul*, fir'd by noble shame
 To emulate fraternal fame;

* The story is told by the Jesuit BOUCHET, in his Letter to HUET, Bishop of *Avranches*.

† A round number is chosen; but the *Caly Yug*, a little before which *Crishna* disappeared from this world, began *four thousand, eight hundred, and eighty-four* years ago, that is, according to our Chronologists, *seven hundred and forty-seven* before the flood; and by the calculation of *M. Bailly*, but *four hundred and fifty-four* after the foundation of the *Indian* empire.

‡ This war, which *Crishna* fomented in favour of the *Pandu Prince*, *Yudhishtir*, supplied *Vyás* with the subject of his noble Epick Poem, *Mahábhárat*.

§ This word is commonly pronounced with a strong accent on the last letter, but the preceding vowel is short in *Sanskrit*. The prince is called on the Coast *Dherme Ráj*, or Chief Magistrate.

|| The *Geita*, containing *Instructions* to *Erjun*, was composed by *Crishna*, who peculiarly distinguished him.

And

And *Sebdeo*, flush'd with manly grace,
 Bright virtue dawning in his face :
 To these a dame devoid of care,
 Blythe *Draupady*, the debonair,
 Renown'd for beauty, and for wit,
 In wedlock's pleasing chain was knit *.

It fortun'd, at an idle hour,
 This five-mal'd fingle-femal'd flow'r
 One balmy morn of fruitful May
 Through vales and meadows took its way.
 A low thatch'd mansion met their eye
 In trees umbrageous bosom'd high ;
 Near it (no fight, young maids, for you)
 A temple rose to *Mahadew*†.
 A thorny hedge and reedy gate
 Enclos'd the garden's homely state ;
 Plain in its neatness : thither wend
 The princes and their lovely friend.
 Light-pinion'd gales, to charm the sense,
 Their odorif'rous breath dispense ;
 From *Béla*'s ‡ pearl'd, or pointed, bloom,
 And *Málty* rich, they steal perfume :
 There honey-scented *Singarhár*,
 And *Júby*, like a rising star,

* *Yudhishtir* and *Draupady*, called *Drobada* by *M. Sonnerat*, are deified on the Coast; and their feast, of which that writer exhibits an engraving, is named the *Procession of Fire*, because she passed every year from one of her five husbands to another, after a solemn purification by that element. In the *Bháshá* language, her name is written, DRÓPTY.

† The *Indian JUPITER*.

‡ The varieties of *Bela*, and the three flowers next mentioned, are beautiful species of *Jasmin*.

Strong *Chempá*, darted by *Cámdew*,
 And *Mulfery* of paler hue,
*Cayora**, which the *Ranies* wear
 In tangles of their filken hair,
 Round † *Bábul*-flow'rs, and *Gulachein*
 Dyed like the shell of Beauty's Queen,
 Sweet *Mindy* ‡ prefs'd for crimson stains,
 And sacred *Tulsy* §, pride of plains,
 With *Séwty*, small unblushing rose,
 Their odours mix, their tints disclose,
 And, as a gemm'd tiara, bright,
 Paint the fresh branches with delight.

One tree above all others tower'd
 With shrubs and saplings close imbower'd,
 For every blooming child of Spring
 Paid homage to the verdant King:
 Aloft a solitary fruit,
 Full sixty cubits from the root,
 Kifs'd by the breeze, luxuriant hung,
 Soft chrysolite with em'ralds strung.
 ' Try we, said *Erjun* indiscreet,
 ' If yon proud fruit be sharp or sweet;
 ' My shaft its parent stalk shall wound:
 ' Receive it, ere it reach the ground.'

Swift as his word, an arrow flew:
 The dropping prize besprent with dew

* The *Indian* Spikenard.

† The *Mimosa*, or true *Acacia*, that produces the *Arabian* Gum.

‡ Called *Albbinná* by the *Arabs*.

§ Of the kind called *Ocymum*.

The brothers, in contention gay,
Catch, and on gather'd herbage lay.

That instant scarlet lightnings flash,
And *Jemna*'s waves her borders lash,
Crishna from *Swerga*'s * height descends,
Observant of his mortal friends :
Not such, as in his earliest years,
Among his wanton cowherd peers,
In *Gocul* or *Brindáben*'s † glades,
He sported with the dairy-maids ;
Or, having pip'd and danc'd enough,
Clos'd the brisk night with *blindman's-buff* ‡ ;
(Lift, antiquaries, and record
This pastime of the *Gopia*'s Lord §)
But radiant with ethereal fire :
Nared alone could bards inspire
In lofty *Slokes* || his mien to trace,
And unimaginable grace.
With human voice, in human form,
He mildly spake, and hush'd the storm :
' O mortals, ever prone to ill !
' Too rashly *Erjun* prov'd his skill.
' Yon fruit a pious *Muny* ** owns,
' Assistant of our heav'nly thrones.

* The heaven of *Indra*, or the Empyreum.

† In the district of *Mat'hura*, not far from *Agra*.

‡ This is told in the *Bhágawat*.

§ *GOPY NAT'H*, a title of *Crishna*, corresponding with *Nymphagetes*, an epithet of *Neptune*.

|| *Tetrasticks* without rhyme.

** An inspired Writer : *twenty* are so called.

' The golden pulp, each month renew'd,
 ' Supplies him with ambrosial food.
 ' Should he the daring archer curse,
 ' Not *Mentra* * deep, nor magick verse,
 ' Your gorgeous palaces could save
 ' From flames, your embers, from the wave†."

The princes, whom th' immod'rate blaze
 Forbids their fightless eyes to raise,
 With doubled hands his aid implore,
 And vow submission to his lore.

' One remedy, and simply one,
 ' Or take, said he, or be undone :
 ' Let each his crimes or faults confess,
 ' The greatest name, omit the less ;
 ' Your actions, words, e'en thoughts reveal ;
 ' No part must *Draupady* conceal :
 ' So shall the fruit, as each applies
 ' The faithful charm, *ten cubits* rise ;
 ' Till, if the dame be frank and true,
 ' It join the branch, where late it grew.'
 He smil'd, and shed a transient gleam ;
 Then vanish'd, like a morning dream.

Now, long entranc'd, each waking brother
 Star'd with amazement on another,
 Their consort's cheek forgot its glow,
 And pearly tears began to flow ;

* Incantation.

† This will receive illustration from a passage in the *Ramayen* : ' Even he, who cannot be slain by the ponderous arms of *Indra*, nor by those of *Cály*, nor by the terrible *Checra* (or *Discus*), of *Vishnu*, shall be destroyed, if a *Brahmen* execrate him, as if he were consumed by fire.'

When *Yudishteir*, high-gifted man,
His plain confession thus began.

‘ Inconstant fortune’s wreathed smiles,
‘ *Duryódhen*’s rage, *Duryódhen*’s wiles,
‘ Fires rais’d for this devoted head,
‘ E’en poison for my brethren spread,
‘ My wand’rings through wild scenes of wo,
‘ And persecuted life, you know.
‘ Rude wassailers defil’d my halls,
‘ And riot shook my palace-walls,
‘ My treasures wasted. This and more
‘ With resignation calm I bore ;
‘ But, when the late-descending god
‘ Gave all I wish’d with soothing nod,
‘ When, by his counsel and his aid,
‘ Our banners danc’d, our clarions bray’d
‘ (Be this my greatest crime confess’d),
‘ *Revenge* fate ruler in my breast :
‘ I panted for the tug of arms,
‘ For skirmish hot, for fierce alarms ;
‘ Then had my shaft *Duryódhen* rent,
‘ This heart had glow’d with sweet content.’

He ceas’d : the living gold upsprung,
And from the bank *ten* cubits hung.

Embolden’d by this fair success,
Next *Erjun* hasten’d to confess :
‘ When I with *Aśwattháma* fought ;
‘ My noose the fell assassin caught ;

‘ My

' My spear transfix'd him to the ground :
 ' His giant limbs firm cordage bound :
 ' His holy thread extorted awe
 ' Spar'd by religion and by law ;
 ' But, when his murd'rous hands I view'd
 ' In blameless kindred gore imbued,
 ' Fury my boiling bosom sway'd,
 ' And *Rage* unsheath'd my willing blade :
 ' Then, had not *Crisbna*'s arm divine
 ' With gentle touch suspended mine,
 ' This hand a *Brahmen* had destroy'd,
 ' And vultures with his blood been cloy'd.'

The fruit, forgiving *Erjun*'s dart,
Ten cubits rose with eager start.

Flush'd with some tints of honest shame,
Bheima to his confession came :
 ' 'Twas at a feast for battles won
 ' From *Dbriteráshtra*'s guileful son,
 ' High on the board in vases pil'd
 ' All vegetable nature smil'd :
 ' Proud *Anaras** his beauties told,
 ' His verdant crown and studs of gold,
 ' To *Dallim* †, whose soft rubies laugh'd
 ' Bursting with juice, that gods have quaff'd ;
 ' Ripe *Kellas* ‡ here in heaps were seen,
 ' *Kellas*, the golden and the green,
 ' With *Ambas* § priz'd on distant coasts,
 ' Whose birth the fertile *Ganga* boasts :

* Ananas.

† Pomegranate.

‡ Plantains.

§ Mangos.

' (Some

' (Some gleam like silver, some outshine
 ' Wrought ingots from *Besara's* mine):
 ' *Corindas* there, too sharp alone,
 ' With honey mix'd, impurpled shone;
 ' *Talfans* * his liquid crystal spread
 ' Pluck'd from high *Tara's* tufted head;
 ' Round *Jamas* † delicate as fair,
 ' Like rose-water perfum'd the air;
 ' Bright salvers high-rais'd *Comlas* ‡ held
 ' Like topazes, which *Amrit* § swell'd;
 ' While some delicious *Attas* || bore,
 ' And *Catels* ** warm, a sugar'd store;
 ' Others with *Béla's* grains were heap'd,
 ' And mild *Papayas* honey-steep'd;
 ' Or sweet *Ajeirs* †† the red and pale,
 ' Sweet to the taste and in the gale.
 ' Here mark'd we purest basons fraught
 ' With sacred cream and fam'd *Joghrát*;
 ' Nor saw we not rich bowls contain
 ' The *Chawla's* †† light nutritious grain,
 ' Some virgin-like in native pride,
 ' And some with strong *Haldea* §§ dyed,
 ' Some tasteful to dull palates made
 ' If *Merich* ||| lend his fervent aid,
 ' Or *Langa* *** shap'd like od'rous nails,
 ' Whose scent o'er groves of spice prevails,
 ' Or *Adda* †††, breathing gentle heat,
 ' Or *Joutery* ††† both warm and sweet.

* Palmyra-fruit.

† Rose-apples.

‡ Oranges.

§ The Hindu Nectar.

|| Custard-apples.

** Jaik-fruit.

†† Guayavas.

‡‡ Rice.

§§ Turmeric.

||| Indian Pepper.

*** Cloves.

††† Ginger.

‡‡‡ Mace.

' *Supiary* * next (in *Pána* † chew'd,
 ' And *Catba* ‡, with strong pow'rs endued,
 ' Mix'd with *Elachy*'s § glowing feeds,
 ' Which some remoter climate breeds),
 ' Near *Jeifel* || fate, like *Jeifel* fram'd
 ' Though not for equal fragrance nam'd :
 ' Last, *Náryal* **, whom all ranks esteem,
 ' Pour'd in full cups his dulcet stream :
 ' Long I survey'd the doubtful board
 ' With each high delicacy stor'd ;
 ' Then freely gratified my soul,
 ' From many a dish, and many a bowl,
 ' Till health was lavish'd, as my time :
 ' *Intemp'rance* was my fatal crime.'

Uprose the fruit ; and now *mid-way*
 Suspended shone like blazing day.

Nacal then spoke : (a blush o'erspread
 His cheeks, and conscious droop'd his head) :
 ' Before *Duryódhen*, ruthless king,
 ' Taught his fierce darts in air to sing,
 ' With bright-arm'd ranks, by *Crishna* sent,
 ' Elate from *Indraprest* †† I went
 ' Through *Eastern* realms ; and vanquish'd all
 ' From rough *Almóra* to *Nipál*.
 ' Where ev'ry mansion, new or old,
 ' Flam'd with Barbarick gems and gold.
 ' Here shone with pride the regal stores
 ' On iv'ry roofs, and cedrine floors ;

* Areca-nut.

† Betel-leaf.

‡ What we call Japan-earth.

§ Cardamums.

|| Nutmeg.

** Coconut.

†† DEHLY.

' There

' There diadems of price unknown
 ' Blaz'd with each all-attracting stone ;
 ' Firm diamonds, like fix'd honour true,
 ' Some pink, and some of yellow hue,
 ' Some black, yet not the less esteem'd ;
 ' The rest like tranquil *Jemna* gleam'd,
 ' When in her bed the *Gopia* lave
 ' Betray'd by the pellucid wave.
 ' Like raging fire the ruby glow'd,
 ' Or soft, but radiant, water show'd ;
 ' Pure amethysts, in richest ore
 ' Oft found, a purple vesture wore ;
 ' Sapphirs, like yon ethereal plain ;
 ' Em'rals, like *Peipel** fresh with rain ;
 ' Gay topazes, translucent gold ;
 ' Pale chrysolites of softer mould ;
 ' Fam'd beryls, like the furge marine,
 ' Light-azure mix'd with modest green ;
 ' Refracted ev'ry varying dye,
 ' Bright as yon bow, that girds the sky.
 ' Here opals, which all hues unite,
 ' Display'd their many-tinctur'd light,
 ' With turcoises divinely blue
 ' (Though doubts arise, where first they grew,
 ' Whether chaste elephantine bone
 ' By min'rals ting'd, or native stone),
 ' And pearls unblemish'd, such as deck
 ' *Bhavány's* † wrist or *Lecshmy's* ‡ neck.
 ' Each castle ras'd, each city storm'd,
 ' Vast loads of pillag'd wealth I form'd,

* A sacred tree like an *Aspin*.† The *Indian* VENUS.‡ The *Indian* CERES.

' Not for my coffers ; though they bore,
 ' As you decreed, my lot and more.
 ' Too pleas'd the brilliant heap I stor'd,
 ' Too charming seem'd the guarded hoard :
 ' An odious vice this heart assail'd ;
 Base *Av'rice* for a time prevail'd.

Th' enchanted orb *ten* cubits flew,
 Strait as the shaft, which *Erjun* drew.

Sebdio, with youthful ardour bold,
 Thus, penitent, his failings told :
 ' From clouds, by folly rais'd, these eyes
 ' Experience clear'd, and made me wise ;
 ' For, when the crash of battle roar'd,
 ' When death rain'd blood from spear and sword,
 ' When, in the tempest of alarms,
 ' Horse roll'd on horse, arms clash'd with arms,
 ' Such acts I saw by others done,
 ' Such perils brav'd, such trophies won,
 ' That, while my patriot bosom glow'd,
 ' Though some faint skill, some strength I shew'd,
 ' And, no dull gazer on the field,
 ' This hero flew, that forc'd to yield,
 ' Yet, meek humility, to thee,
 ' When *Erjun* fought, low sank my knee :
 ' But, ere the din of war began,
 ' When black'ning cheeks just mark'd the man,
 ' Myself invincible I deem'd,
 ' And great, without a rival, seem'd.
 ' Whene'er I fought the sportful plain,
 ' No youth of all the martial train

' With

' With arm so strong or eye so true
 ' The *Checra*'s * pointed circle threw ;
 ' None, when the polish'd cane we bent,
 ' So far the light-wing'd arrow sent ;
 ' None from the broad elastick reed,
 ' Like me, gave *Agnyastra*† speed,
 ' Or spread its flames with nicer art
 ' In many an unextinguish'd dart ;
 ' Or, when in imitated fight
 ' We sported till departing light,
 ' None saw me to the ring advance
 ' With falchion keen or quiv'ring lance,
 ' Whose force my rooted feat could shake,
 ' Or on my steed impression make :
 ' No charioteer, no racer fleet
 ' O'ertook my wheels or rapid feet.
 ' Next, when the woody heights we fought,
 ' With madd'ning elephants I fought :
 ' In vain their high-priz'd tusks they gnash'd ;
 ' Their trunked heads my *Geda*‡ mash'd.
 ' No buffalo, with phrensy strong,
 ' Could bear my clatt'ring thunder long :
 ' No pard or tiger, from the wood
 ' Reluctant brought, this arm withstood.
 ' *Pride* in my heart his mansion fix'd,
 ' And with pure drops black poison mix'd.

Swift rose the fruit, exalted now
 Ten cubits from his natal bough.

* A radiated metalline ring, used as a missile weapon.

† Fire-arms, or rockets, early known in *India*.

‡ A mace, or club.

Fair *Draupady*, with soft delay,
 Then spake : 'Heav'n's mandate I obey ;
 ' Though nought, essential to be known,
 ' Has heav'n to learn, or I to own.
 ' When scarce a damsel, scarce a child,
 ' In early bloom your handmaid smil'd,
 ' *Love of the World* her fancy mov'd,
 ' Vain pageantry her heart approv'd :
 ' Her form, she thought, and lovely mien,
 ' All must admire, when all had seen !
 ' A thirst of pleasure and of praise
 ' (With shame I speak) engross'd my days ;
 ' Nor were my night-thoughts, I confess,
 ' Free from solicitude for dress ;
 ' How best to bind my flowing hair
 ' With art, yet with an artless air
 ' (My hair, like musk in scent and hue ;
 ' Oh ! blacker far and sweeter too) ;
 ' In what nice braid or glossy curl
 ' To fix a diamond or a pearl,
 ' And where to smooth the love-spread toils
 ' With nard or jasmin's fragrant oils ;
 ' How to adjust the golden *Teic**,
 ' And most adorn my forehead sleek ;
 ' What *Condals* † should emblaze my ears,
 ' Like *Seita's* waves ‡ or *Seita's* tears § ;
 ' How elegantly to dispose
 ' Bright circlets for my well-form'd nose ;

* Properly *Teica*, an ornament of gold, placed above the nose.

† Pendants.

‡ *SEITA' CUND*, or the *Pool of Seita*, the wife of *RAM*, is the name given to the wonderful spring at *Mengeir*, with boiling water of exquisite clearness and purity.

§ Her tears, when she was made captive by the giant *Ráwan*.

' With

' With strings of rubies how to deck,
 ' Or em'rald rows, my stately neck,
 ' While some that ebon tow'r embrac'd,
 ' Some pendent sought my slender waist;
 ' How next my purpled veil to chuse
 ' From filken stores of varied hues;
 ' Which would attract the roving view,
 ' Pink, violet, purple, orange, blue;
 ' The loveliest mantle to select,
 ' Or unembellish'd or bedeck'd;
 ' And how my twisted scarf to place
 ' With most inimitable grace;
 ' (Too thin its warp, too fine its woof,
 ' For eyes of males not beauty-proof);
 ' What skirts the mantle best would suit,
 ' Ornate with stars or tissued fruit,
 ' The flow'r-embroider'd or the plain
 ' With silver or with golden vein;
 ' The *Chury** bright, which gayly shows
 ' Fair objects, aptly to compose;
 ' How each smooth arm and each soft wrist
 ' By richest *Cosacs*† might be kiss'd;
 ' While some, my taper ankles round,
 ' With sunny radiance ting'd the ground.
 ' O waste of many a precious hour!
 ' O *Vanity*, how vast thy pow'r!

Cubits twice four th' ambrosial flew,
 Still from its branch disjoin'd by *two*.

* A small mirror worn in a ring.

† Bracelets.

Each

Each husband now, with wild surprise,
 His compeers and his consort eyes;
 When *Yudishteir*: 'Thy female breast
 'Some faults, perfidious, hath suppress'd.
 'Oh! give the close-lock'd secret room,
 'Unfold its bud, expand its bloom;
 'Left, sinking with our crumbled halls,
 'We see red flames devour their walls.'
 Abash'd, yet with a decent pride,
 Firm *Draupady* the fact denied;
 Till, through an arched alley green,
 The limit of that sacred scene,
 She saw the dreaded *Muny* go
 With steps majestically flow;
 Then said: (a stifled sigh she stole,
 And show'd the conflict of her soul
 By broken speech and flutt'ring heart)
 'One trifle more I must impart:
 'A *Brabmen* learn'd, of pure intent
 'And look demure, one morn you sent,
 'With me, from *Sanscrit* old, to read
 'Each high *Purán** each holy *Veid*.
 'His thread, which *Brehmá*'s lineage show'd,
 'O'er his left shoulder graceful flow'd;
 'Of *Crisbna* and his nymphs he redde,
 'How with nine maids the dance he led;
 'How they ador'd, and he repaid
 'Their homage in the sylvan shade.
 'While this gay tale my spirits cheer'd,
 'So keen the *Pendit*'s eyes appear'd,

* A Mythological and Historical Poem.

' So sweet his voice—a blameless fire
 ' This bosom could not but inspire.
 ' Bright as a God he seem'd to stand :
 ' The rev'rend volume left his hand,
 ' With mine he press'd'—With deep despair
 Brothers on brothers wildly stare :
 From *Erjun* flew a wrathful glance ;
 Tow'rd them they saw their dread advance ;
 Then, trembling, breathless, pale with fear,
 ' Hear, said the matron, calmly hear !
 ' By *Tulsy*'s leaf the truth I speak—
 ' The *Brahmen* ONLY KISS'D MY CHEEK.'

Strait its full height the wonder rose,
 Glad with its native branch to close.

Now to the walk approach'd the Sage
 Exulting in his verdant age :
 His hands, that touch'd his front, express'd
 Due rev'rence to each princely guest,
 Whom to his rural board he led
 In simple delicacy spread,
 With curds their palates to regale,
 And cream-cups from the *Gopia*'s pail.

Could you, ye Fair, like this black wife,
 Restore us to primeval life,
 And bid that apple, pluck'd for *Eve*
 By him, who might all wives deceive,
 Hang from its parent bough once more
 Divine and perfect, as before,

Would

Would you confess your little faults?
 (Great ones were never in your thoughts);
 Would you the secret wish unfold,
 Or in your heart's full casket hold?
 Would you disclose your inmost mind,
 And speak plain truth, to bless mankind?

' What! said the Guardian of our realm,
 With waving crest and fiery helm,
 ' What! are the fair, whose heav'nly smiles
 ' Rain glory through my cherish'd isles,
 ' Are they less virtuous or less true
 ' Than *Indian* dames of footy hue?
 ' No, by these arms. The cold surmise
 ' And doubt injurious vainly rise.
 ' Yet dares a bard, who better knows,
 ' This point distrustfully propose;
 ' Vain fabler now! though oft before
 ' His harp has cheer'd my founding shore.'

With brow austere the martial maid
 Spoke, and majestick trod the glade:
 To that fell cave her course she held,
 Where *Scandal*, bane of mortals, dwell'd.
 Outstretch'd on filth the pest she found,
 Black fetid venom streaming round:
 A gloomy light just serv'd to show
 The darkness of the den below.
Britannia with resistless might
 Soon dragg'd him from his darling night:
 The snakes, that o'er his body curl'd,
 And flung his poison through the world,

Confounded

Confounded with the flash of day,
 His'd horribly a hellish lay.
 His eyes with flames and blood suffus'd,
 Long to th' ethereal beam unus'd,
 Fierce in their gory sockets roll'd;
 And desperation made him bold:
 Pleas'd with the thought of human woes,
 On scaly dragon feet he rose.
 Thus, when *Aśurs* with impious rage,
 Durst horrid war with *Dévta's* wage,
 And darted many a burning mass
 E'en on the brow of gemm'd *Cailás*,
 High o'er the rest, on serpents rear'd,
 The grisly king of *Deits* appear'd.

The nymph beheld the fiend advance,
 And couch'd her far-extending lance:
 Dire drops he threw; th' infernal tide
 Her helm and silver hauberk dyed:
 Her moonlike shield before her hung;
 The monster struck, the monster stung:
 Her spear with many a griding wound
 Fast nail'd him to the groaning ground.
 The wretch, from juster vengeance free,
 Immortal born by heav'n's decree,
 With chains of adamant secur'd,
 Deep in cold gloom she left immur'd.

Now reign at will, victorious Fair,
 In *British*, or in *Indian*, air!
 Still with each envying flow'r adorn
 Your tresses radiant as the morn;

Still

Still let each *Afiatick* dye
Rich tints for your gay robes supply;
Still through the dance's laby'rinth float,
And swell the sweetly-lengthen'd note;
Still, on proud steeds or glitt'ring cars,
Rise on the course like beamy stars;
And, when charm'd circles round you close
Of rhyming bards and smiling beaux,
Whilst all with eager looks contend
Their wit or worth to recommend,
Still let your mild, yet piercing, eyes
Impartially adjudge the prize.

SACONTALA';

SACONTALÁ;
OR,
THE FATAL RING:
AN
INDIAN DRAMA.

By CÁLIDÁS.

TRANSLATED FROM THE ORIGINAL SANSKRIT AND PRACRIT.

VOL. VI.

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SACONTALA

OR

THE FATAL RING

INDIAN DRAMA

BY CALLED

TRANSLATED FROM THE ORIGINAL MANUSCRIPT AND REVISION

PREFACE.

IN one of the letters which bear the title of EDIFYING, though most of them swarm with ridiculous errors, and all must be consulted with extreme diffidence, I met, some years ago, with the following passage: "In the north of India there are many books, called Nátaç, which, as the Bráhmens assert, contain a large portion of ancient history without any mixture of fable;" and having an eager desire to know the real state of this empire before the conquest of it by the Savages of the North, I was very solicitous, on my arrival in Bengal, to procure access to those books, either by the help of translations, if they had been translated, or by learning the language in which they were originally composed, and which I had yet a stronger inducement to learn from its connection with the administration of justice to the Hindûs; but when I was able to converse with the Bráhmens, they assured me that the Nátaçs were not histories, and abounded with fables; that they were extremely popular works, and consisted of conversations in prose and verse, held before ancient Rájás in their publick assemblies, on an infinite variety of subjects, and in various dialects of India: this definition gave me no very distinct idea; but I concluded that they were dialogues on moral or literary topics; whilst other Europeans, whom I consulted, had understood from the natives that they were discourses on dancing, musick, or poetry. At length a very sensible Bráhmen, named Rádhácánt, who had long been attentive to English manners, removed all my doubts, and gave me no less
delight

delight than surprise, by telling me that our nation had compositions of the same sort, which were publickly represented at Calcutta in the cold season, and bore the name, as he had been informed, of plays. Resolving at my leisure to read the best of them, I asked which of their Nátacs was most universally esteemed; and he answered without hesitation, Sacontalá, supporting his opinion, as usual among the Pandits, by a couplet to this effect: "The ring of Sacontalá, in which the fourth act, and four stanzas of that act, are eminently brilliant, displays all the rich exuberance of Cálidása's genius." I soon procured a correct copy of it; and, assisted by my teacher Rámalóchan, began with translating it verbally into Latin, which bears so great a resemblance to Sanscrit, that it is more convenient than any modern language for a scrupulous interlineary version: I then turned it word for word into English, and afterwards, without adding or suppressing any material sentence, disengaged it from the stiffness of a foreign idiom, and prepared the faithful translation of the Indian drama, which I now present to the Publick as a most pleasing and authentick picture of old Hindû manners, and one of the greatest curiosities that the literature of Asia has yet brought to light.

Dramatick poetry must have been immemorially ancient in the Indian empire: the invention of it is commonly ascribed to Bheret, a sage believed to have been inspired, who invented also a system of musick which bears his name; but this opinion of its origin is rendered very doubtful by the universal belief, that the first Sanscrit verse ever heard by mortals was pronounced in a burst of resentment by the great Válmic, who flourished in the silver age of the world, and was author of an Epick Poem on the war of his contemporary, Ráma, king of Ayódhya; so that no drama in verse could have been represented before his time; and the Indians have a wild story, that the first regular play, on the same subject with the Rámáyan, was composed by Hanumat or Pávan, who commanded an army of Satyrs or Mountaineers in Ráma's expedition against Lancà: they add, that he engraved it on a smooth rock, which, being
dissatisfied

dissatisfied with his composition, he hurled into the sea; and that, many years after, a learned prince ordered expert divers to take impressions of the poem on wax, by which means the drama was in great measure restored; and my Pandit assures me that he is in possession of it. By whomsoever or in whatever age this species of entertainment was invented, it is very certain, that it was carried to great perfection in its kind, when Vicramáditya, who reigned in the first century before Christ, gave encouragement to poets, philologists, and mathematicians, at a time when the Britons were as unlettered and unpolished as the army of Hanumat: nine men of genius, commonly called the nine gems, attended his court, and were splendidly supported by his bounty; and Cálidás is unanimously allowed to have been the brightest of them.—A modern epigram was lately repeated to me, which does so much honour to the author of Sacontalá, that I cannot forbear exhibiting a literal version of it: “Poetry was the sportful daughter of Válmic, and, having been educated by Vyása, she chose Cálidás for her bridegroom after the manner of Viderbha: she was the mother of Amara, Sundar, Sanc’ha, Dhanic; but now, old and decrepit, her beauty faded, and her unadorned feet slipping as she walks, in whose cottage does she disdain to take shelter?”

All the other works of our illustrious poet, the Shakespeare of India, that have yet come to my knowledge, are a second play, in five acts, entitled *Urvasí*; an heroic poem, or rather a series of poems in one book, on the Children of the Sun; another, with perfect unity of action, on the Birth of Cumára, god of war; two or three love tales in verse; and an excellent little work on Sanscrit Metre, precisely in the manner of Terentianus; but he is believed by some to have revised the works of Válmic and Vyása, and to have corrected the perfect editions of them which are now current: this at least is admitted by all, that he stands next in reputation to those venerable bards; and we must regret, that he has left only two dramatick poems, especially as the stories in his

Raghuvansa

Raghuvansa would have supplied him with a number of excellent subjects.—Some of his contemporaries, and other Hindû poets even to our own times, have composed so many tragedies, comedies, farces, and musical pieces, that the Indian theatre would fill as many volumes as that of any nation in ancient or modern Europe: all the Pandits assert that their plays are innumerable; and, on my first inquiries concerning them, I had notice of more than thirty, which they consider as the flower of their Nátacs, among which the Malignant Child, the Rape of Ushá, the Taming of Durvásas, the Seizure of the Lock, Málati and Mádhava, with five or six dramas on the adventures of their incarnate gods, are the most admired after those of Cálidás. They are all in verse, where the dialogue is elevated; and in prose, where it is familiar: the men of rank and learning are represented speaking pure Sanscrit, and the women Prácrit, which is little more than the language of the Bráhmens melted down by a delicate articulation to the softness of Italian; while the low persons of the drama speak the vulgar dialects of the several provinces which they are supposed to inhabit.

The play of Sacontalá must have been very popular when it was first represented; for the Indian empire was then in full vigour, and the national vanity must have been highly flattered by the magnificent introduction of those kings and heroes in whom the Hindûs gloried; the scenery must have been splendid and beautiful; and there is good reason to believe, that the court at Avanti was equal in brilliancy during the reign of Vicramáditya, to that of any monarch in any age or country.—Dushmanta, the hero of the piece, appears in the chronological tables of the Bráhmens among the Children of the Moon, and in the twenty-first generation after the flood; so that, if we can at all rely on the chronology of the Hindûs, he was nearly contemporary with Obed, or Jesse; and Puru, his most celebrated ancestor, was the fifth in descent from Budha, or Mercury, who married, they say, a daughter of the pious king, whom Vishnu preserved in an ark from the universal deluge: his eldest son
Bheret

Bheret was the illustrious progenitor of Curu, from whom Pándu was lineally descended, and in whose family the Indian Apollo became incarnate; whence the poem, next in fame to the Rámáyan, is called Mahábharat.

As to the machinery of the drama, it is taken from the system of mythology, which prevails to this day, and which it would require a large volume to explain; but we cannot help remarking, that the deities introduced in the Fatal Ring are clearly allegorical personages. Maríchi, the first production of Brahmá, or the Creative Power, signifies light, that subtil fluid which was created before its reservoir, the sun, as water was created before the sea; Casyapa, the offspring of Maríchi, seems to be a personification of infinite space, comprehending innumerable worlds; and his children by Aditi, or his active power (unless Aditi mean the primeval day, and Diti, his other wife, the night), are Indra, or the visible firmament, and the twelve Adityas, or suns, presiding over as many months.

On the characters and conduct of the play I shall offer no criticism; because I am convinced that the tastes of men differ as much as their sentiments and passions, and that, in feeling the beauties of art, as in smelling flowers, tasting fruits, viewing prospects, and hearing melody, every individual must be guided by his own sensations and the incommunicable associations of his own ideas. This only I may add, that if *Sacotalá* should ever be acted in India, where alone it could be acted with perfect knowledge of Indian dresses, manners, and scenery, the piece might easily be reduced to five acts of a moderate length, by throwing the third act into the second, and the sixth into the fifth; for it must be confessed that the whole of Dushmanta's conversation with his buffoon, and great part of his courtship in the hermitage, might be omitted without any injury to the drama.

It is my anxious wish that others may take the pains to learn Sanscrit,
and

and may be persuaded to translate the works of Cálidás: I shall hardly again employ my leisure in a task so foreign to my professional (which are, in truth, my favourite) studies; and have no intention of translating any other book from any language, except the Law Tract of Menu, and the new Digest of Indian and Arabian laws; but, to show, that the Bráhmens, at least, do not think polite literature incompatible with jurisprudence, I cannot avoid mentioning, that the venerable compiler of the Hindû Digest, who is now in the eighty-sixth year, has the whole play of Sancotalá by heart; as he proved when I last conversed with him, to my entire conviction. Left, however, I should hereafter seem to have changed a resolution which I mean to keep inviolate, I think it proper to say, that I have already translated four or five other books, and among them the Hitópadéśa, which I undertook, merely as an exercise in learning Sanscrit, three years before I knew that Mr. Wilkins, without whose aid I should never have learnt it, had any thought of giving the same work to the publick.

PERSONS

PERSONS OF THE DRAMA.

Dushmanta, Emperor of India.

Sacontalá, the Heroine of the Piece.

Anusúyá,
Priyamvadá, } Damsels attendant on her.

Mádhavya, the Emperor's Buffoon.

Gautamí, an old female Hermit.

Sárngarava,
Sáradwata, } two Bráhmens.

Canna, Foster-father of *Sacontalá*.

Cumbhílaca, a Fisherman.

Misracésí, a Nymph.

Mátali, Charioteer of Indra.

A little Boy.

Casyapa,
Aditi, } Deities, Parents of Indra.

Officers of State and Police, Bráhmens, Damsels, Hermits, Pupils, Chamberlas, Warders of the Palace, Messengers, and Attendants.

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THE PROLOGUE.

A Bráhmen pronounces the benediction.

WA T E R was the first work of the Creator ; and Fire receives the oblations ordained by law ; the Sacrifice is performed with solemnity ; the Two Lights of heaven distinguish time ; the subtil Ether, which is the vehicle of sound, pervades the universe ; the Earth is the natural parent of all increase ; and by Air all things breathing are animated : may I'SA, the God of Nature, apparent in these eight forms, bless and sustain you !

The Manager enters.

Man. What occasion is there for a long speech ?—[*Looking towards the dressing room*]—When your decorations, Madam, are completed, be pleased to come forward.

An Actress enters.

Actr. I attend, Sir.—What are your commands ?

Man. This, Madam, is the numerous and polite assembly of the famed Hero, our king Vicramáditya, the patron of every delightful art ; and before this audience we must do justice to a new production of Cálidás, a dramattick piece, entitled Sacontalá, or, The Fatal Ring : it is requested, therefore, that all will be attentive.

Actr. Who, Sir, could be inattentive to an entertainment so well intended ?

Man. [*Smiling*] I will speak, Madam, without reserve.—As far as an enlightened

enlightened audience receive pleasure from our theatrical talents, and express it, so far, and no farther, I set a value on them; but my own mind is diffident of its powers, how strongly soever exerted.

Actr. You judge rightly in measuring your own merit by the degree of pleasure which this assembly may receive; but its value, I trust, will presently appear.—Have you any farther commands?

Man. What better can you do, since you are now on the stage, than exhilarate the souls, and gratify the sense, of our auditory with a song?

Actr. Shall I sing the description of a season? and which of the seasons do you chuse to hear described?

Man. No finer season could be selected than the summer, which is actually begun, and abounds with delights. How sweet is the close of a summer day, which invites our youth to bathe in pure streams, and induces gentle slumber under the shades refreshed by sylvan breezes, which have passed over the blooming Páralis and stolen their fragrance!

Actr. [*Singing.*] “Mark how the soft blossoms of the Nágacésar are
“lightly kissed by the bees! Mark how the damsels delicately place be-
“hind their ears the flowers of Sirísha!”

Man. A charming strain! the whole company sparkles, as it were, with admiration; and the musical mode to which the words are adapted, has filled their souls with rapture. By what other performance can we ensure a continuance of their favour?

Actr. Oh! by none better than by the Fatal Ring, which you have just announced.

Man. How could I forget it! In that moment I was lulled to distraction by the melody of thy voice, which allured my heart, as the king Dushmanta is now allured by the swift antelope. [*They both go out.*

SACONTALA;

SACONTALA;
OR,
THE FATAL RING.

ACT I.

SCENE—A FOREST.

Dushmanta, *in a car, pursuing an antelope, with a bow and quiver, attended by his Charioteer.*

Char. [*Looking at the antelope, and then at the king.*]

WHEN I cast my eye on that black antelope, and on thee, O king, with thy braced bow, I see before me, as it were, the God Mahéfa chasing a hart, with his bow, named pináca, braced in his left hand.

Dushm. The fleet animal has given us a long chase. Oh! there he runs, with his neck bent gracefully, looking back, from time to time, at the car which follows him. Now, through fear of a descending shaft, he contracts his forehead, and extends his flexible haunches; and now, through fatigue, he pauses to nibble the grass in his path with his mouth half opened. See how he springs and bounds with long steps, lightly skimming the ground, and rising high in the air! And now so rapid in his flight, that he is scarce discernible!

Char. The ground was uneven, and the horses were checked in their course. He has taken advantage of our delay. It is level now, and we may easily overtake him.

Dushm.

Dushm. Loosen the reins.

Char. As the king commands.—[*He drives the car first at full speed, and then gently.*—He could not escape. The horses were not even touched by the clouds of dust which they raised; they tossed their manes, erected their ears, and rather glided than galloped over the smooth plain.

Dushm. They soon outran the swift antelope.—Objects which, from their distance, appeared minute, presently became larger: what was really divided, seemed united, as we passed; and what was in truth bent, seemed straight. So swift was the motion of the wheels, that nothing, for many moments, was either distant or near.

[*He fixes an arrow in his bowstring.*

[*Behind the scenes.*] He must not be slain. This antelope, O king, has an asylum in our forest: he must not be slain.

Char. [*Listening and looking.*] Just as the animal presents a fair mark for your arrow, two hermits are advancing to interrupt your aim.

Dushm. Then stop the car.

Char. The king is obeyed.

[*He draws in the reins.*

Enter a Hermit and his Pupil.

Herm. [*Raising his hands.*] Slay not, O mighty sovereign, slay not a poor fawn, who has found a place of refuge. No, surely, no; he must not be hurt. An arrow in the delicate body of a deer would be like fire in a bale of cotton. Compared with thy keen shafts, how weak must be the tender hide of a young antelope! Replace quickly, oh! replace the arrow which thou hast aimed. The weapons of you kings and warriors are destined for the relief of the oppressed, not for the destruction of the guiltless.

Dushm. [*Saluting them.*] It is replaced.

[*He places the arrow in his quiver.*

Herm. [*With joy.*] Worthy is that act of thee, most illustrious of monarchs; worthy, indeed, of a prince descended from Puru. Mayst thou have a son adorned with virtues, a sovereign of the world!

Pup.

Pup. [*Elevating both his hands.*] Oh! by all means, may thy son be adorned with every virtue, a sovereign of the world!

Dushm. [*Bowing to them.*] My head bears with reverence the order of a Bráhmén.

Herm. Great king, we came hither to collect wood for a solemn sacrifice; and this forest, on the banks of the Malinì, affords an asylum to the wild animals protected by Sacontalá, whom our holy preceptor Canna has received as a sacred deposit. If you have no other avocation, enter yon grove, and let the rights of hospitality be duly performed. Having seen with your own eyes the virtuous behaviour of those whose only wealth is their piety, but whose worldly cares are now at an end, you will then exclaim, "How many good subjects are defended "by this arm, which the bowstring has made callous!"

Dushm. Is the master of your family at home?

Herm. Our preceptor is gone to Sómatirt'ha, in hopes of deprecating some calamity, with which destiny threatens the irreproachable Sacontalá; and he has charged her, in his absence, to receive all guests with due honour.

Dushm. Holy man, I will attend her; and she, having observed my devotion, will report it favourably to the venerable sage.

Both. Be it so; and we depart on our own business.

[*The Hermit and his Pupil go out.*]

Dushm. Drive on the car. By visiting the abode of holiness, we shall purify our souls.

Char. As the king (may his life be long!) commands. [*He drives on.*]

Dushm. [*Looking on all sides.*] That we are near the dwelling-place of pious hermits, would clearly have appeared, even if it had not been told.

Char. By what marks?

Dushm. Do you not observe them? See under yon trees the hallowed grains which have been scattered on the ground, while the tender female parrots were feeding their unfledged young in their pendent nests. Mark in other places the shining pieces of polished stone which have
bruised

bruised the oily fruit of the sacred Ingudi. Look at the young fawns, which, having acquired confidence in man, and accustomed themselves to the sound of his voice, frisk at pleasure, without varying their course. Even the surface of the river is reddened with lines of consecrated bark, which float down its stream. Look again; the roots of yon trees are bathed in the waters of holy pools, which quiver as the breeze plays upon them; and the glowing lustre of yon fresh leaves is obscured, for a time, by smoke that rises from oblations of clarified butter. See too, where the young roes graze, without apprehension from our approach, on the lawn before yonder garden, were the tops of the sacrificial grass, cut for some religious rite, are sprinkled around.

Char. I now observe all those marks of some holy habitation.

Dushm. [*Turning aside.*] This awful sanctuary, my friend, must not be violated. Here, therefore, stop the car; that I may descend.

Char. I hold in the reins. The king may descend at his pleasure.

Dushm. [*Having descended, and looking at his own dress.*] Groves devoted to religion must be entered in humbler habiliments. Take these regal ornaments;—[*the Charioteer receives them*—and, whilst I am observing those who inhabit this retreat, let the horses be watered and dressed.

Char. Be it as you direct! [*He goes out.*

Dushm. [*Walking round and looking.*] Now then I enter the sanctuary.—[*He enters the grove.*]—Oh! this place must be holy, my right arm throbs.—[*Pausing and considering.*]—What new acquisition does this omen promise in a sequestered grove? But the gates of predestined events are in all places open.

[*Behind the scenes.*] Come hither, my beloved companions; Oh! come hither.

Dushm. [*Listening.*] Hah! I hear female voices to the right of yon arbour. I am resolved to know who are conversing.—[*He walks round and looks.*]—There are some damsels, I see, belonging to the hermit's family who carry water-pots of different sizes proportioned to their strength, and are going to water the delicate plants. Oh! how charmingly

ingly they look! If the beauty of maids who dwell in woodland retreats cannot easily be found in the recesses of a palace, the garden flowers must make room for the blossoms of the forest, which excel them in colour and fragrance.

[*He stands gazing at them.*]

Enter Sacontalá, Anusúyá, and Priyamvadá.

Anu. O my Sacontalá, it is in thy society that the trees of our father Canna seem to me delightful: it well becomes thee, who art soft as the fresh-blown Mallicà, to fill with water the canals which have been dug round these tender shrubs.

Sac. It is not only in obedience to our father that I thus employ myself, though that were a sufficient motive, but I really feel the affection of a sister for these young plants.

[*Watering them.*]

Pri. My beloved friend, the shrubs which you have watered flower in the summer, which is now begun: let us give water to those which have passed their flowering time; for our virtue will be the greater when it is wholly disinterested.

Sac. Excellent advice!

[*Watering other plants.*]

Dushm. [*Aside in transport.*] How! is that Canna's daughter, Sacontalá?—[*With surprise.*]—The venerable sage must have an unfeeling heart, since he has allotted a mean employment to so lovely a girl, and has dressed her in a coarse mantle of woven bark. He, who could wish that so beautiful a creature, who at first sight ravishes my soul, should endure the hardships of his austere devotion, would attempt, I suppose, to cleave the hard wood Samì with a leaf of the blue lotos. Let me retire behind this tree, that I may gaze on her charms without diminishing her confidence.

[*He retires.*]

Sac. My friend Priyamvadá has tied this mantle of bark so closely over my bosom that it gives me pain: Anusúyá, I request you to untie it.

[*Anusúyá unties the mantle.*]

Pri. [*Laughing.*] Well, my sweet friend, enjoy, while you may, that youthful prime which gives your bosom so beautiful a swell.

Dushm. [*Aside.*] Admirably spoken, Priyamvadá! No; her charms cannot be hidden, even though a robe of intertwisted fibres be thrown over her shoulders, and conceal a part of her bosom, like a veil of yellow leaves enfolding a radiant flower. The water lily, though dark moss may settle on its head, is nevertheless beautiful; and the moon with dewy beams is rendered yet brighter by its black spots. The bark itself acquires elegance from the features of a girl with antelope's eyes, and rather augments than diminishes my ardour. Many are the rough stalks which support the water lily; but many and exquisite are the blossoms which hang on them.

Sac. [*Looking before her.*] Yon Amra tree, my friends, points with the finger of its leaves, which the gale gently agitates, and seems inclined to whisper some secret. I will go near it. [*They all approach the tree.*]

Pri. O my Sacontalá, let us remain some time in this shade.

Sac. Why here particularly?

Pri. Because the Amra tree seems wedded to you, who are graceful as the blooming creeper which twines round it.

Sac. Properly are you named Priyamvadá, or speaking kindly.

Dushm. [*Aside.*] She speaks truly. Yes; her lip glows like the tender leaflet; her arms resemble two flexible stalks; and youthful beauty shines, like a blossom, in all her lineaments.

Anu. See, my Sacontalá, how yon fresh Mallicá, which you have surnamed Vanádófini, or Delight of the Grove, has chosen the sweet Amra for her bridegroom.

Sac. [*Approaching, and looking at it with pleasure.*] How charming is the season, when the nuptials even of plants are thus publicly celebrated! [*She stands admiring it.*]

Pri. [*Smiling.*] Do you know, my Anusúyá, why Sacontalá gazes on the plants with such rapture?

Anu. No, indeed: I was trying to guess. Pray, tell me.

Pri. "As the Grove's Delight is united to a suitable tree, thus I too
" hope

"hope for a bridegroom to my mind."—That is her private thought at this moment.

Sac. Such are the flights of your own imagination.

[*Inverting the water-pot.*]

Anu. Here is a plant, Sacontalá, which you have forgotten, though it has grown up, like yourself, under the fostering care of our father Canna.

Sac. Then I shall forget myself.—O wonderful!—[*approaching the plant.*]
—O Priyamvadá! [*looking at it with joy*] I have delightful tidings for you.

Pri. What tidings, my beloved, for me?

Sac. This Mádhavi-creeper, though it be not the usual time for flowering, is covered with gay blossoms from its root to its top.

Both. [*Approaching it hastily.*] Is it really so, sweet friend?

Sac. Is it so? look yourselves.

Pri. [*With eagerness.*] From this omen, Sacontalá, I announce you an excellent husband, who will very soon take you by the hand.

[*Both girls look at Sacontalá.*]

Sac. [*Displeased.*] A strange fancy of yours!

Pri. Indeed, my beloved, I speak not jestingly. I heard something from our father Canna. Your nurture of these plants has prospered; and thence it is, that I foretel your approaching nuptials.

Anu. It is thence, my Priyamvadá, that she has watered them with so much alacrity.

Sac. The Mádhavi plant is my sister: can I do otherwise than cherish her?

[*Pouring water on it.*]

Duskm. [*Aside.*] I fear she is of the same religious order with her foster-father. Or has a mistaken apprehension risen in my mind? My warm heart is so attached to her, that she cannot but be a fit match for a man of the military class. The doubts which awhile perplex the good, are soon removed by the prevalence of their strong inclinations. I am enamoured of her; and she cannot, therefore, be the daughter of a Bráhmén, whom I could not marry.

Sac.

Sac. [*Moving her head.*] Alas! a bee has left the blossom of this Mallicá, and is fluttering round my face. [*She expresses uneasiness.*]

Dushm. [*Aside, with affection.*] How often have I seen our court damsels affectedly turn their heads aside from some roving insect, merely to display their graces! but this rural charmer knits her brows, and gracefully moves her eyes through fear only, without art or affectation. Oh! happy bee, who touchest the corner of that eye beautifully trembling; who, approaching the tip of that ear, murmurest as softly as if thou wert whispering a secret of love; and who sippest nectar, while she waves her graceful hand, from that lip, which contains all the treasures of delight! Whilst I am solicitous to know in what family she was born, thou art enjoying bliss, which to me would be supreme felicity.

Sac. Disengage me, I entreat, from this importunate insect, which quite baffles my efforts.

Pri. What power have we to deliver you? The king Dushmanta is the sole defender of our consecrated groves.

Dushm. [*Aside.*] This is a good occasion for me to discover myself—[*advancing a little.*—I must not, I will not, fear. Yet—[*checking himself and retiring*—my royal character will thus abruptly be known to them. No; I will appear as a simple stranger, and claim the duties of hospitality.

Sac. This impudent bee will not rest. I will remove to another place. [*Stepping aside and looking round.*—Away! away! He follows me wherever I go. Deliver me, oh! deliver me from this distress.

Dushm. [*Advancing hastily.*] Ah! While the race of Puru govern the world, and restrain even the most profligate, by good laws well administered, has any man the audacity to molest the lovely daughters of pious hermits? [*They look at him with emotion.*]

Anu. Sir, no man is here audacious; but this damsel, our beloved friend, was teased by a fluttering bee. [*Both girls look at Sacontalá.*]

Dushm. [*Approaching her.*] Damsel, may thy devotion prosper!

[*Sacontalá looks on the ground, bashful and silent.*]

Anu. Our guest must be received with due honours.

Pri.

Pri. Stranger, you are welcome. Go, my Sacontalá; bring from the cottage a basket of fruit and flowers. This river will, in the mean time, supply water for his feet. [*Looking at the water-pots.*]

Dushm. Holy maid, the gentleness of thy speech does me sufficient honour.

Anu. Sit down awhile on this bank of earth, spread with the leaves of Septaperna: the shade is refreshing, and our lord must want repose after his journey.

Dushm. You too must all be fatigued by your hospitable attentions: rest yourselves, therefore, with me.

Pri. [*Aside to Sacontalá.*] Come, let us all be seated: our guest is contented with our reception of him. [*They all seat themselves.*]

Sac. [*Aside.*] At the sight of this youth I feel an emotion scarce consistent with a grove devoted to piety.

Dushm. [*Gazing at them alternately.*] How well your friendship agrees, holy damsels, with the charming equality of your ages and of your beauties!

Pri. [*Aside to Anusúyá.*] Who can this be, my Anusúyá? The union of delicacy with robustness in his form, and of sweetness with dignity in his discourse, indicate a character fit for ample dominion.

Anu. [*Aside to Priyamvadá.*] I too have been admiring him. I must ask him a few questions.—[*Aloud.*] Your sweet speech, Sir, gives me confidence. What imperial family is embellished by our noble guest? What is his native country? Surely it must be afflicted by his absence from it. What, I pray, could induce you to humiliate that exalted form of yours by visiting a forest peopled only by simple anchorites?

Sac. [*Aside.*] Perplex not thyself, oh my heart! let the faithful Anusúyá direct with her counsel the thoughts which rise in thee.

Dushm. [*Aside.*] How shall I reveal, or how shall I disguise, myself? —[*Musing.*]—Be it so.—[*Aloud to Anusúyá.*] Excellent lady, I am a student of the Véda, dwelling in the city of our king, descended from

Puru;

Puru; and, being occupied in the discharge of religious and moral duties, am come hither to behold the sanctuary of virtue.

Anu. Holy men, employed like you, are our lords and masters.

[Sacontalá looks modest, yet with affection; while her companions gaze alternately at her and at the king.]

Anu. *[Aside to Sacontalá.]* Oh! if our venerable father were present—

Sac. What if he were?

Anu. He would entertain our guest with a variety of refreshments.

Sac. *[Pretending displeasure.]* Go too; you had some other idea in your head; I will not listen to you. *[She sits apart.]*

Dushm. *[Aside to Anusúyá and Priyamvadá.]* In my turn, holy damsels, allow me to ask one question concerning your lovely friend.

Both. The request, Sir, does us honour.

Dushm. The sage Canna, I know, is ever intent upon the great Being; and must have declined all earthly connections. How then can this damsel be, as it is said, his daughter?

Anu. Let our lord hear. There is, in the family of Cufa, a pious prince of extensive power, eminent in devotion and in arms.

Dushm. You speak, no doubt, of Caufica, the sage and monarch.

Anu. Know, Sir, that he is in truth her father; while Canna bears that reverend name, because he brought her up, since she was left an infant.

Dushm. Left? the word excites my curiosity; and raises in me a desire of knowing her whole story.

Anu. You shall hear it, Sir, in few words.—When that sage king had begun to gather the fruits of his austere devotion, the gods of Swerga became apprehensive of his increasing power, and sent the nymph Ménacà to frustrate, by her allurements, the full effect of his piety.

Dushm. Is a mortal's piety so tremendous to the inferior deities? What was the event?

Anu. In the bloom of the vernal season, Caufica, beholding the beauty of the celestial nymph, and wafted by the gale of desire——

[She stops and looks modest.]

Dushm.

Dusbm. I now see the whole. Sacontalá then is the daughter of a king, by a nymph of the lower heaven.

Anu. Even so.

Dusbm. [*Aside.*] The desire of my heart is gratified.—[*Aloud.*] How, indeed, could her transcendent beauty be the portion of mortal birth? Yon light, that sparkles with tremulous beams, proceeds not from a terrestrial cavern. [*Sacontalá sits modestly, with her eyes on the ground.*

Dusbm. [*Again aside.*] Happy man that I am! Now has my fancy an ample range. Yet, having heard the pleasantries of her companions on the subject of her nuptials, I am divided with anxious doubt, whether she be not wholly destined for a religious life.

Pri. [*Smiling, and looking first at Sacontalá, then at the king.*] Our lord seems desirous of asking other questions.

[*Sacontalá rebukes Priyamvadá with her hand.*

Dusbm. You know my very heart. I am, indeed, eager to learn the whole of this charmer's life; and must put one question more.

Pri. Why should you muse on it so long?—[*Aside.*] One would think this religious man was forbidden by his vows to court a pretty woman.

Dusbm. This I ask. Is the strict rule of a hermit so far to be observed by Canna, that he cannot dispose of his daughter in marriage, but must check the natural impulse of juvenile love? Can she (oh preposterous fate!) be destined to reside for life among her favourite antelopes, the black lustre of whose eyes is far surpassed by hers?

Pri. Hitherto, Sir, our friend has lived happy in this consecrated forest, the abode of her spiritual father; but it is now his intention to unite her with a bridegroom equal to herself.

Dusbm. [*Aside, with ecstasy.*] Exult, oh my heart, exult. All doubt is removed; and what before thou wouldst have dreaded as a flame, may now be approached as a gem inestimable.

Sac. [*Seeming angry.*] Anusúyá, I will stay here no longer.

Anu. Why so, I pray?

Sac.

Sac. I will go to the holy matron Gautamí, and let her know how impertinently our Priyamvadá has been prattling. [*She rises.*]

Anu. It will not be decent, my love, for an inhabitant of this hallowed wood to retire before a guest has received complete honour.

[*Sacontalá, giving no answer, offers to go.*]

Dushm. [*Aside.*] Is she then departing?—[*He rises, as if going to stop her, but checks himself.*—The actions of a passionate lover are as precipitate as his mind is agitated. Thus I, whose passion impelled me to follow the hermit's daughter, am restrained by a sense of duty.

Pri. [*Going up to Sacontalá.*] My angry friend, you must not retire.

Sac. [*Stepping back and frowning.*] What should detain me?

Pri. You owe me the labour, according to our agreement, of watering two more shrubs. Pay me first, to acquit your conscience, and then depart, if you please. [*Holding her.*]

Dushm. The damsel is fatigued, I imagine, by pouring so much water on the cherished plants. Her arms, graced with palms like fresh blossoms, hang carelessly down; her bosom heaves with strong breathing; and now her dishevelled locks, from which the string has dropped, are held by one of her lovely hands. Suffer me, therefore, thus to discharge the debt.—[*Giving his ring to Priyamvadá. Both damsels, reading the name Dushmanta, inscribed on the ring, look with surprise at each other.*—It is a toy unworthy of your fixed attention; but I value it as a gift from the king.

Pri. Then you ought not, Sir, to part with it. Her debt is from this moment discharged on your word only. [*She returns the ring.*]

Anu. You are now released, Sacontalá, by this benevolent lord—or favoured, perhaps, by a monarch himself. To what place will you now retire?

Sac. [*Aside.*] Must I not wonder at all this if I preserve my senses?

Pri. Are not you going, Sacontalá?

Sac. Am I your subject? I shall go when it pleases me.

Dushm. [*Aside, looking at Sacontalá.*] Either she is affected towards me,

me, as I am towards her, or I am distracted with joy. She mingles not her discourse with mine; yet, when I speak, she listens attentively. She commands not her actions in my presence; and her eyes are engaged on me alone.

Behind the scenes.] Oh pious hermits, preserve the animals of this hallowed forest! The king Dushmanta is hunting in it. The dust raised by the hoofs of his horses, which pound the pebbles ruddy as early dawn, falls like a swarm of blighting insects on the consecrated boughs which sustain your mantles of woven bark, moist with the water of the stream in which you have bathed.

Dushm. [*Aside.*] Alas! my officers, who are searching for me, have indiscreetly disturbed this holy retreat.

Again behind the scenes.] Beware, ye hermits, of yon elephant, who comes overturning all that oppose him; now he fixes his trunk with violence on a lofty branch that obstructs his way; and now he is entangled in the twining stalks of the Vratati. How are our sacred rites interrupted! How are the protected herds dispersed! The wild elephant, alarmed at the new appearance of a car, lays our forest waste.

Dushm. [*Aside.*] How unwillingly am I offending the devout foresters! Yes; I must go to them instantly.

Pri. Noble stranger, we are confounded with dread of the enraged elephant. With your permission, therefore, we retire to the hermit's cottage.

Anu. O Sacontalá, the venerable matron will be much distressed on your account. Come quickly, that we may be all safe together.

Sac. [*Walking slowly.*] I am stopped, alas! by a sudden pain in my side.

Dushm. Be not alarmed, amiable damsels. It shall be my care that no disturbance happen in your sacred groves.

Pri. Excellent stranger, we were wholly unacquainted with your station; and you will forgive us, we hope, for the offence of intermitting awhile the honours due to you: but we humbly request that you will

give us once more the pleasure of seeing you, though you have not now been received with perfect hospitality.

Dushm. You depreciate your own merits. The sight of you, sweet damsels, has sufficiently honoured me.

Sac. My foot, O Anufúyá, is hurt by this pointed blade of Cufa grass; and now my loose vest of bark is caught by a branch of the Curuvaca. Help me to disentangle myself, and support me.—*[She goes out, looking from time to time at Dushmanta, and supported by the damsels.]*

Dushm. *[Sighing.]* They are all departed; and I too, alas! must depart. For how short a moment have I been blessed with a sight of the incomparable Sacontalá! I will send my attendants to the city, and take my station at no great distance from this forest. I cannot, in truth, divert my mind from the sweet occupation of gazing on her. How, indeed, should I otherwise occupy it? My body moves onward; but my restless heart runs back to her; like a light flag borne on a staff against the wind, and fluttering in an opposite direction. *[He goes out.]*

ACT II.

SCENE—*A PLAIN, with royal pavilions on the skirt of the forest.**Mādhavya. [Sighing and lamenting.]*

STRANGE recreation this?—Ah me! I am wearied to death.—My royal friend has an unaccountable taste.—What can I think of a king so passionately fond of chasing unprofitable quadrupeds?—“Here runs an antelope!—there goes a boar!”—Such is our only conversation.—Even at noon, in excessive heat, when not a tree in the forest has a shadow under it, we must be skipping and prancing about, like the beasts whom we follow.—Are we thirsty? We have nothing to drink but the waters of mountain torrents, which taste of burned stones and mawkish leaves.—Are we hungry? We must greedily devour lean venison, and that commonly roasted to a stick.—Have I a moment’s repose at night?—My slumber is disturbed by the din of horses and elephants, or by the sons of slave-girls hollooming out, “More venison, more venison!”—Then comes a cry that pierces my ear, “Away to the forest, away!”—Nor are these my only grievances: fresh pain is now added to the smart of my first wounds; for, while we were separated from our king, who was chasing a foolish deer, he entered, I find, yon lonely place, and there, to my infinite grief, saw a certain girl, called Sacontalā, the daughter of a hermit: from that moment not a word of returning to the city!—These distressing thoughts have kept my eyes open the whole night.—Alas! when shall we return?—I cannot set eyes on my beloved friend Dushmanta since he set his heart on taking another wife.—[*Stepping aside and looking*]—Oh! there he is.—How changed!—He carries a bow, indeed, but wears for his diadem a garland of wood-flowers.—He is advancing: I must begin my operations.—[*He stands leaning on a staff.*]—Let me thus take a moment’s rest.—[*Aloud.*]

Dushmanta

Dushmanta enters, as described.

Dushm. [*Aside, sighing.*] My darling is not so easily attainable; yet my heart assumes confidence from the manner in which she seemed affected: surely, though our love has not hitherto prospered, yet the inclinations of us both are fixed on our union.—[*Smiling.*]—Thus do lovers agreeably beguile themselves, when all the powers of their souls are intent on the objects of their desire!—But am I beguiled? No; when she cast her eyes even on her companions, they sparkled with tenderness; when she moved her graceful arms, they dropped, as if languid with love; when her friend remonstrated against her departure, she spoke angrily—All this was, no doubt, on my account.—Oh! how quick-sighted is love in discerning his own advantages!

Mádh. [*Bending downward, as before.*] Great prince! my hands are unable to move; and it is with my lips only that I can mutter a blessing on you. May the king be victorious!

Dushm. [*Looking at him and smiling.*] Ah! what has crippled thee, friend Mádhavya?

Mádh. You strike my eye with your own hand, and then ask what makes it weep.

Dushm. Speak intelligibly. I know not what you mean.

Mádh. Look at yon Vétas tree bent double in the river. Is it crooked, I pray, by its own act, or by the force of the stream?

Dushm. It is bent, I suppose, by the current.

Mádh. So am I by your Majesty.

Dushm. How so, Mádhavya?

Mádh. Does it become you, I pray, to leave the great affairs of your empire, and so charming a mansion as your palace, for the sake of living here like a forester? Can you hold a council in a wood? I, who am a reverend Bráhmen, have no longer the use of my hands and feet: they are put out of joint by my running all day long after dogs and wild beasts. Favour me, I entreat, with your permission to repose but a single day.

Dushm.

Dushm. [*Aside.*] Such are this poor fellow's complaints; whilst I, when I think of Canna's daughter, have as little relish for hunting as he. How can I brace this bow, and fix a shaft in the string, to shoot at those beautiful deer who dwell in the same groves with my beloved, and whose eyes derive lustre from hers?

Mádb. [*Looking stedfastly at the king.*] What scheme is your royal mind contriving? I have been crying, I find, in a wilderness.

Dushm. I think of nothing but the gratification of my old friend's wishes.

Mádb. [*Joyfully.*] Then may the king live long!

[*Rising, but counterfeiting feebleness.*]

Dushm. Stay; and listen to me attentively.

Mádb. Let the king command.

Dushm. When you have taken repose, I shall want your assistance in another business, that will give you no fatigue.

Mádb. Oh! what can that be, unless it be eating rice-pudding?

Dushm. You shall know in due time.

Mádb. I shall be delighted to hear it.

Dushm. Hola! who is there?

The Chamberlain enters.

Cham. Let my sovereign command me.

Dushm. Raivataca, bid the General attend.

Cham. I obey.—[*He goes out, and returns with the General.*]—Come quickly, Sir, the king stands expecting you.

Gen. [*Aside, looking at Dushmanta.*] How comes it that hunting, which moralists reckon a vice, should be a virtue in the eyes of a king? Thence it is, no doubt, that our emperor, occupied in perpetual toil, and inured to constant heat, is become so lean, that the sunbeams hardly affect him; while he is so tall, that he looks to us little men, like an elephant grazing on a mountain: he seems all soul.—[*Aloud, approaching the king.*]—May our monarch ever be victorious!—This forest, O king, is infested
by

by beasts of prey : we see the traces of their huge feet in every path.—
What orders is it your pleasure to give ?

Dushm. Bhadraséna, this moralizing Mádhavya has put a stop to our recreation by forbidding the pleasures of the chase.

Gen. [*Aside to Mádhavya.*] Be firm to your word, my friend ; whilst I found the king's real inclinations.—[*Aloud.*] O ! Sir, the fool talks idly. Consider the delights of hunting. The body, it is true, becomes emaciated, but it is light and fit for exercise. Mark how the wild beasts of various kinds are variously affected by fear and by rage ! What pleasure equals that of a proud archer, when his arrow hits the mark as it flies ?—Can hunting be justly called a vice ? No recreation, surely, can be compared with it.

Mádb. [*Angrily.*] Away, thou false flatterer ! The king, indeed, follows his natural bent, and is excusable ; but thou, son of a slave girl, hast no excuse.—Away to the wood !—How I wish thou hadst been seized by a tiger or an old bear, who was prowling for a skakàl, like thyself !

Dushm. We are now, Bhadraséna, encamped near a sacred hermitage ; and I cannot at present applaud your panegyrick on hunting. This day, therefore, let the wild buffalos roll undisturbed in the shallow water, or toss up the sand with their horns ; let the herd of antelopes, assembled under the thick shade, ruminate without fear ; let the large boars root up the herbage on the brink of yon pool ; and let this my bow take repose with a slackened string.

Gen. As our lord commands.

Dushm. Recall the archers who have advanced before me, and forbid the officers to go very far from this hallowed grove. Let them beware of irritating the pious : holy men are eminent for patient virtues, yet conceal within their bosoms a scorching flame ; as carbuncles are naturally cool to the touch ; but, if the rays of the sun have been imbibed by them, they burn the hand.

Mádb. Away now, and triumph on the delights of hunting.

Gen.

Gen. The king's orders are obeyed. [He goes out.]

Dushm. [To his attendants.] Put off your hunting apparel ; and thou, Raivataca, continue in waiting at a little distance.

Cham. I shall obey. [Goes out.]

Mádh. So! you have cleared the stage: not even a fly is left on it. Sit down, I pray, on this pavement of smooth pebbles, and the shade of this tree shall be your canopy: I will sit by you; for I am impatient to know what will give me no fatigue.

Dushm. Go first, and seat thyself.

Mádh. Come, my royal friend. [They both sit under a tree.]

Dushm. Friend Mádhavya, your eyes have not been gratified with an object which best deserves to be seen.

Mádh. Yes, truly; for a king is before them.

Dushm. All men are apt, indeed, to think favourably of themselves; but I meant Sacontalá, the brightest ornament of these woods.

Mádh. [Aside.] I must not foment this passion.—[Aloud.] What can you gain by seeing her? She is a Bráhmen's daughter, and consequently no match for you!

Dushm. What! Do people gaze at the new moon, with uplifted heads and fixed eyes, from a hope of possessing it? But you must know, that the heart of Dushmanta is not fixed on an object which he must for ever despair of attaining.

Mádh. Tell me how.

Dushm. She is the daughter of a pious prince and warrior, by a celestial nymph; and, her mother having left her on earth, she has been fostered by Canna, even as a fresh blossom of Malati, which droops on its pendant stalk, is raised and expanded by the sun's light.

Mádh. [Laughing.] Your desire to possess this rustick girl, when you have women bright as gems in your palace already, is like the fancy of a man, who has lost his relish for dates, and longs for the four tamarind.

Dushm. Did you know her, you would not talk so wildly.

Mádh.

Mádb. Oh! certainly, whatever a king admires must be superlatively charming.

Dushm. [*Smiling.*] What need is there of long description? When I meditate on the power of Brahmà, and on her lineaments, the creation of so transcendent a jewel outshines, in my apprehension, all his other works: she was formed and moulded in the eternal mind, which had raised with its utmost exertion, the ideas of perfect shapes, and thence made an assemblage of all abstract beauties.

Mádb. She must render, then, all other handsome women contemptible.

Dushm. In my mind she really does. I know not yet what blessed inhabitant of this world will be the possessor of that faultless beauty, which now resembles a blossom whose fragrance has not been diffused; a fresh leaf, which no hand has torn from its stalk; a pure diamond, which no polisher has handled; new honey, whose sweetness is yet untasted; or rather the celestial fruit of collected virtues, to the perfection of which nothing can be added.

Mádb. Make haste, then, or the fruit of all virtues will drop into the hand of some devout rustick, whose hair shines with oil of Ingudi.

Dushm. She is not her own mistress; and her foster-father is at a distance.

Mádb. How is she disposed towards you?

Dushm. My friend, the damsels in a hermit's family are naturally reserved: yet she did look at me, wishing to be unperceived; then she smiled, and started a new subject of conversation. Love is by nature averse to a sudden communication, and hitherto neither fully displays, nor wholly conceals, himself in her demeanour towards me.

Mádb. [*Laughing.*] Has she thus taken possession of your heart on so transient a view?

Dushm. When she walked about with her female friends, I saw her yet more distinctly, and my passion was greatly augmented. She said sweetly,

sweetly, but untruly, "My foot is hurt by the points of the Cufa grafs:" then she stopped; but soon, advancing a few paces, turned back her face, pretending a wish to disentangle her vest of woven bark from the branches in which it had not really been caught.

Mádb. You began with chasing an antelope, and have now started new game: thence it is, I presume, that you are grown so fond of a consecrated forest.

Dushm. Now the business for you, which I mentioned, is this: you, who are a Bráhmén, must find some expedient for my second entrance into that asylum of virtue.

Mádb. And the advice which I give is this: remember that you are a king.

Dushm. What then?

Mádb. "Hóla! bid the hermits bring my sixth part of their grain." Say this, and enter the grove without scruple.

Dushm. No, Mádhavya: they pay a different tribute, who, having abandoned all the gems and gold of this world, possess riches far superior. The wealth of princes, collected from the four orders of their subjects, is perishable; but pious men give us a sixth part of the fruits of their piety; fruits which will never perish.

Behind the scenes.] Happy men that we are! we have now attained the object of our desire.

Dushm. Hah! I hear the voices of some religious anchorites.

The Chamberlain enters.

Cham. May the king be victorious!—Two young men, sons of a hermit, are waiting at my station, and soliciting an audience.

Dushm. Introduce them without delay.

Cham. As the king commands.—[*He goes out, and re-enters with two Bráhméns.*—Come on; come this way.

First Bráhm. [*Looking at the king.*] Oh! what confidence is inspired by his brilliant appearance!—Or proceeds it rather from his disposition

to virtue and holiness?—Whence comes it, that my fear vanishes?—He now has taken his abode in a wood which supplies us with every enjoyment; and with all his exertions for our safety, his devotion increases from day to day.—The praise of a monarch who has conquered his passions ascends even to heaven: inspired bards are continually singing, “Behold a virtuous prince!” but with us the royal name stands first: “Behold, among kings, a sage!”

Second Bráhm. Is this, my friend, the truly virtuous Dushmanta?

First Bráhm. Even he.

Second Bráhm. It is not then wonderful, that he alone, whose arm is lofty and strong as the main bar of his city gate, possesses the whole earth, which forms a dark boundary to the ocean; or that the gods of Swerga, who fiercely contend in battle with evil powers, proclaim victory gained by his braced bow, not by the thunderbolt of INDRA.

Both. [*Approaching him.*] O king, be victorious!

Dushm. [*Rising.*] I humbly salute you both.

Both. Blessings on thee!

Dushm. [*Respectfully.*] May I know the cause of this visit?

First Bráhm. Our sovereign is hailed by the pious inhabitants of these woods; and they implore——

Dushm. What is their command?

First Bráhm. In the absence of our spiritual guide, Canna, some evil demons are disturbing our holy retreat. Deign, therefore, accompanied by thy charioteer, to be master of our asylum, if it be only for a few short days.

Dushm. [*Eagerly.*] I am highly favoured by your invitation.

Mádh. [*Aside.*] Excellent promoters of your design! They draw you by the neck, but not against your will.

Dushm. Raivataca, bid my charioteer bring my car, with my bow and quiver.

Cham. I obey.

[*He goes out.*

First

First Bráhm. Such condescension well becomes thee, who art an universal guardian.

Second Bráhm. Thus do the descendants of Puru perform their engagement to deliver their subjects from fear of danger.

Dushm. Go first, holy men: I will follow instantly.

Both. Be ever victorious!

[*They go out.*]

Dushm. Shall you not be delighted, friend Mádhavya, to see my Sacontalá?

Mádh. At first I should have had no objection; but I have a considerable one since the story of the demons.

Dushm. Oh! fear nothing: you will be near me.

Mádh. And you, I hope, will have leisure to protect me from them.

The Chamberlain re-enters.

Cham. May our lord be victorious!—The imperial car is ready; and all are expecting your triumphant approach. Carabba too, a messenger from the queen-mother, is just arrived from the city.

Dushm. Is he really come from the venerable queen?

Cham. There can be no doubt of it.

Dushm. Let him appear before me.

[*The Chamberlain goes out, and returns with the Messenger.*]

Cham. There stands the king—O Carabba, approach him with reverence.

Mess. [*Prostrating himself.*] May the king be ever victorious!—The royal mother sends this message——

Dushm. Declare her command.

Mess. Four days hence the usual fast for the advancement of her son will be kept with solemnity; and the presence of the king (may his life be prolonged!) will then be required.

Dushm. On one hand is a commission from holy Bráhmens; on the other, a command from my revered parent: both duties are sacred, and neither must be neglected.

Mádh. [*Laughing.*] Stay suspended between them both, like king Trifancu

Trifancu between heaven and earth ; when the pious men said, " Rise ! " and the gods of Swerga said, " Fall ! "

Dushm. In truth I am greatly perplexed. My mind is principally distracted by the distance of the two places where the two duties are to be performed ; as the stream of a river is divided by rocks in the middle of its bed.—[*Musing.*]—Friend Mádhavya, my mother brought you up as her own son, to be my playfellow, and to divert me in my childhood. You may very properly act my part in the queen's devotions. Return then to the city, and give an account of my distress through the commission of these reverend foresters.

Mádh. That I will ;—but you could not really suppose that I was afraid of demons !

Dushm. How come you, who are an egregious Bráhmen, to be so bold on a sudden ?

Mádh. Oh ! I am now a young king.

Dushm. Yes, certainly ; and I will dispatch my whole train to attend your highness, whilst I put an end to the disturbance in this hermitage.

Mádh. [*Strutting.*] See, I am a prince regnant.

Dushm. [*Aside.*] This buffoon of a Bráhmen has a slippery genius. He will perhaps disclose my present pursuit to the women in the palace. I must try to deceive him.—[*Taking Mádhavya by the hand.*]—I shall enter the forest, be assured, only through respect for its pious inhabitants ; not from any inclination for the daughter of a hermit. How far am I raised above a girl educated among antelopes ; a girl, whose heart must ever be a stranger to love !—The tale was invented for my diversion.

Mádh. Yes, to be sure ; only for your diversion !

Dushm. Then farewell, my friend ; execute my commission faithfully, whilst I proceed—to defend the anchorites. [*All go out.*]

ACT

ACT III.

SCENE—*The HERMITAGE in a Grove.**The Hermit's Pupil bearing consecrated grafs.**Pupil. [Meditating with wonder.]*

HOW great is the power of Dushmanta!—The monarch and his character had no sooner entered the grove than we continued our holy rites without interruption.—What words can describe him?—By his barely aiming a shaft, by the mere sound of his bow-string, by the simple murmur of his vibrating bow, he disperses at once our calamities.—Now then I deliver to the priests this bundle of fresh Cusa grafs to be scattered round the place of sacrifice.—[*Looking behind the scenes.*]—Ah! Priyamvadá, for whom are you carrying that ointment of Usíra root, and those leaves of water lilies?—[*Listening attentively.*]—What say you?—That Sacontalá is extremely disordered by the sun's heat, and that you have procured for her a cooling medicine!—Let her, my Priyamvadá, be diligently attended; for she is the darling of our venerable father Canna.—I will administer, by the hand of Gautamí, some healing water consecrated in the ceremony called Vaitána. [He goes out.]

Dushmanta enters, expressing the distraction of a lover.

Dushm. I well know the power of her devotion: that she will suffer none to dispose of her but Canna, I too well know. Yet my heart can no more return to its former placid state, than water can reascend the sleep,

steep, down which it has fallen.—O God of Love, how can thy darts be so keen, since they are pointed with flowers?—Yes, I discover the reason of their keenness. They are tipped with the flames which the wrath of Hara kindled, and which blaze at this moment, like the Bárava fire under the waves: how else couldst thou, who wast consumed even to ashes, be still the inflamer of our souls? By thee and by the moon, though each of you seems worthy of confidence, we lovers are cruelly deceived. They who love as I do, ascribe flowery shafts to thee, and cool beams to the moon, with equal impropriety; for the moon sheds fire on them with her dewy rays, and thou pointest with sharp diamonds those arrows which seem to be barbed with blossoms. Yet this god, who bears a fish on his banners, and who wounds me to the soul, will give me real delight, if he destroy me with the aid of my beloved, whose eyes are large and beautiful as those of a roe.—O powerful divinity, even when I thus adore thy attributes, hast thou no compassion? Thy fire, O Love, is fanned into a blaze by a hundred of my vain thoughts.—Does it become thee to draw thy bow even to thy ear, that the shaft, aimed at my bosom, may inflict a deeper wound?—Where now can I recreate my afflicted soul by the permission of those pious men whose uneasiness I have removed by dismissing my train?—[*Sighing.*]—I can have no relief but from a sight of my beloved.—[*Looking up.*]—This intensely hot noon must, no doubt, be passed by Sacontalá with her damsels on the banks of this river over-shadowed with Tamálas.—It must be so:—I will advance thither.—[*Walking round and looking.*]—My sweet friend has, I guess, been lately walking under that row of young trees; for I see the stalks of some flowers, which probably she gathered, still unshrivelled; and some fresh leaves, newly plucked, still dropping milk.—[*Feeling a breeze.*]—Ah! this bank has a delightful air!—Here may the gale embrace me, wafting odours from the water lilies, and cool my breast, inflamed by the bodiless god, with the liquid particles which it catches from the waves of the Málini.—[*Looking down.*]—Happy lover! Sacontalá must be somewhere in this grove of flowering creepers; for I discern on the yellow sand at the door

door of yon arbour some recent footsteps, raised a little before, and depressed behind by the weight of her elegant limbs.—I shall have a better view from behind this thick foliage.—[*He conceals himself, looking vigilantly.*]—Now are my eyes fully gratified.—The darling of my heart, with her two faithful attendants, reposes on a smooth rock strown with fresh flowers.—These branches will hide me, whilst I hear their charming conversation. [*He stands concealed, and gazes.*]

Sacotalá and her two Damsels discovered.

Both. [*Fanning her.*] Say, beloved Sacotalá, does the breeze, raised by our fans of broad lotos leaves, refresh you?

Sac. [*Mournfully.*] Why, alas, do my dear friends take this trouble?

[*Both look sorrowfully at each other.*]

Dushm. [*Aside.*] Ah! she seems much indisposed. What can have been the fatal cause of so violent a fever?—Is it what my heart suggests? Or—[*Musing*]—I am perplexed with doubts.—The medicine extracted from the balmy Usíra has been applied, I see, to her bosom: her only bracelet is made of thin filaments from the stalks of a water lily, and even that is loosely bound on her arm. Yet, even thus disordered, she is exquisitely beautiful.—Such are the hearts of the young! Love and the sun equally inflame us; but the scorching heat of summer leads not equally to happiness with the ardour of youthful desires.

Pri. [*Aside to Anusúyá.*] Did you not observe how the heart of Sacotalá was affected by the first sight of our pious monarch? My suspicion is, that her malady has no other cause.

Anu. [*Aside to Priyamvadá.*] The same suspicion had risen in my mind. I will ask her at once.—[*Aloud*]—My sweet Sacotalá, let me put one question to you. What has really occasioned your indisposition?

Dushm. [*Aside.*] She must now declare it. Ah! though her bracelets of lotos are bright as moon beams, yet they are marked, I see, with black spots from internal ardour.

Sac.

Sac. [*Half raising herself.*] Oh! say what you suspect to have occasioned it.

Anu. Sacontalá, we must necessarily be ignorant of what is passing in your breast; but I suspect your case to be that which we have often heard related in tales of love. Tell us openly what causes your illness. A physician, without knowing the cause of a disorder, cannot even begin to apply a remedy.

Dushm. [*Aside.*] I flatter myself with the same suspicion.

Sac. [*Aside.*] My pain is intolerable; yet I cannot hastily disclose the occasion of it.

Pri. My sweet friend, Anusúyá, speaks rationally. Consider the violence of your indisposition. Every day you will be more and more emaciated, though your exquisite beauty has not yet forsaken you.

Dushm. [*Aside.*] Most true. Her forehead is parched; her neck droops; her waist is more slender than before; her shoulders languidly fall; her complexion is wan; she resembles a Mádhaví creeper, whose leaves are dried by a sultry gale: yet, even thus transformed, she is lovely, and charms my soul.

Sac. [*Sighing.*] What more can I say? Ah! why should I be the occasion of your sorrow?

Pri. For that very reason, my beloved, we are solicitous to know your secret; since, when each of us has a share of your uneasiness, you will bear more easily your own portion of it.

Dushm. [*Aside.*] Thus urged by two friends, who share her pains as well as her pleasures, she cannot fail to disclose the hidden cause of her malady; whilst I, on whom she looked at our first interview with marked affection, am filled with anxious desire to hear her answer.

Sac. From the very instant when the accomplished prince, who has just given repose to our hallowed forest, met my eye——

[*She breaks off, and looks modest.*]

Both. Speak on, beloved Sacontalá.

Sac.

Sac. From that instant my affection was unalterably fixed on him—and thence I am reduced to my present languor.

Anu. Fortunately your affection is placed on a man worthy of yourself.

Pri. Oh! could a fine river have deserted the sea and flowed into a lake?

Dushm. [*Joyfully.*] That which I was eager to know, her own lips have told. Love was the cause of my distemper, and love has healed it; as a summer's day, grown black with clouds, relieves all animals from the heat which itself had caused.

Sac. If it be no disagreeable task, contrive, I entreat you, some means by which I may find favour in the king's eyes.

Dushm. [*Aside.*] That request banishes all my cares, and gives me rapture even in my present uneasy situation.

Pri. [*Aside to Anusúyá.*] A remedy for her, my friend, will scarce be attainable. Exert all the powers of your mind; for her illness admits of no delay.

Anu. [*Aside to Priyamvadá.*] By what expedient can her cure be both accelerated and kept secret?

Pri. [*As before.*] Oh! to keep it secret will be easy; but to attain it soon, almost insuperably difficult.

Anu. [*As before.*] How so?

Pri. The young king seemed, I admit, by his tender glances, to be enamoured of her at first sight; and he has been observed, within these few days, to be pale and thin, as if his passion had kept him long awake.

Dushm. [*Aside.*] So it has—This golden bracelet, fullied by the flame which preys on me, and which no dew mitigates, but the tears gushing nightly from these eyes, has fallen again and again on my wrist, and has been replaced on my emaciated arm.

Pri. [*Aloud.*] I have a thought, Anusúyá—Let us write a love letter,
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which I will conceal in a flower, and, under the pretext of making a respectful offering, deliver it myself into the king's hand.

Anu. An excellent contrivance! It pleases me highly;—but what says our beloved Sacontalá?

Sac. I must consider, my friend, the possible consequences of such a step.

Pri. Think also of a verse or two, which may suit your passion, and be consistent with the character of a lovely girl born in an exalted family.

Sac. I will think of them in due time; but my heart flutters with the apprehension of being rejected.

Dushm. [*Aside.*] Here stands the man supremely blessed in thy presence, from whom, O timid girl, thou art apprehensive of a refusal! Here stands the man, from whom, O beautiful maid, thou fearest rejection, though he loves thee distractedly. He who shall possess thee will seek no brighter gem; and thou art the gem which I am eager to possess.

Anu. You depreciate, Sacontalá, your own incomparable merits. What man in his senses would intercept with an umbrella the moonlight of autumn, which alone can allay the fever caused by the heat of the noon?

Sac. [*Smiling.*] I am engaged in thought.

[*She meditates.*]

Dushm. Thus then I fix my eyes on the lovely poetess, without closing them a moment, while she measures the feet of her verse: her forehead is gracefully moved in cadence, and her whole aspect indicates pure affection.

Sac. I have thought of a couplet; but we have no writing implements.

Pri. Let us hear the words; and then I will mark them with my nail on this lotos leaf, soft and green as the breast of a young parroquet: it may easily be cut into the form of a letter.—Repeat the verses.

Sac. “Thy heart, indeed, I know not: but mine, oh! cruel, love
“warms by day and by night; and all my faculties are centered on
“thee.”

Dushm.

Dushm. [*Hastily advancing, and pronouncing a verse in the same measure.*]
 "Thee, O slender maid, love only warms; but me he burns; as the
 "day-star only stifles the fragrance of the night-flower, but quenches the
 "very orb of the moon."

Anu. [*Looking at him joyfully.*] Welcome, great king: the fruit of my friend's imagination has ripened without delay.

[*Sacotalá expresses an inclination to rise.*

Dushm. Give yourself no pain. Those delicate limbs, which repose on a couch of flowers, those arms, whose bracelets of lotos are disarranged by a flight pressure, and that sweet frame, which the hot noon seems to have disordered, must not be fatigued by ceremony.

Sac. [*Aside.*] O my heart, canst thou not rest at length after all thy sufferings?

Anu. Let our sovereign take for his seat a part of the rock on which she reposes.

[*Sacotalá makes a little room.*

Dushm. [*Seating himself.*] Priyamvadá, is not the fever of your charming friend in some degree abated?

Pri. [*Smiling.*] She has just taken a salutary medicine, and will soon be restored to health. But, O mighty prince, as I am favoured by you and by her, my friendship for Sacotalá prompts me to converse with you for a few moments.

Dushm. Excellent damsel, speak openly; and suppress nothing.

Pri. Our lord shall hear.

Dushm. I am attentive.

Pri. By dispelling the alarms of our pious hermits, you have discharged the duty of a great monarch.

Dushm. Oh! talk a little on other subjects.

Pri. Then I must inform you that our beloved companion is enamoured of you, and has been reduced to her present languor by the resistless divinity, love. You only can preserve her inestimable life.

Dushm. Sweet Priyamvadá, our passion is reciprocal; but it is I who am honoured.

Sac.

Sac. [*Smiling, with a mixture of affection and resentment.*] Why should you detain the virtuous monarch, who must be afflicted by so long an absence from the secret apartments of his palace?

Dushm. This heart of mine, oh thou who art of all things the dearest to it, will have no object but thee, whose eyes enchant me with their black splendour, if thou wilt but speak in a milder strain. I, who was nearly slain by love's arrow, am destroyed by thy speech.

Anu. [*Laughing.*] Princes are said to have many favourite comforts. You must assure us, therefore, that our beloved friend shall not be exposed to affliction through our conduct.

Dushm. What need is there of many words? Let there be ever so many women in my palace, I will have only two objects of perfect regard; the sea-girt earth, which I govern, and your sweet friend, whom I love.

Both. Our anxiety is dissipated.

[*Sacontalá strives in vain to conceal her joy.*]

Pri. [*Aside to Anufúyá.*] See how our friend recovers her spirits by little and little, as the peahen, oppressed by the summer heat, is refreshed by a soft gale and a gentle shower.

Sac. [*To the damsels.*] Forgive, I pray, my offence in having used unmeaning words: they were uttered only for your amusement in return for your tender care of me.

Pri. They were the occasion, indeed, of our serious advice. But it is the king who must forgive: who else is offended?

Sac. The great monarch will, I trust, excuse what has been said either before him or in his absence.—[*Aside to the damsels.*] Intercede with him, I entreat you.

Dushm. [*Smiling.*] I would cheerfully forgive any offence, lovely Sacontalá, if you, who have dominion over my heart, would allow me full room to sit by you, and recover from my fatigue, on this flowery couch pressed by your delicate limbs.

Pri. Allow him room; it will appease him, and make him happy.

Sac.

Sac. [*Pretending anger, aside to Priyamvadá.*] Be quiet, thou mischief-making girl! Dost thou sport with me in my present weak state?

Anu. [*Looking behind the scenes.*] O! my Priyamvadá, there is our favourite young antelope running wildly and turning his eyes on all sides: he is, no doubt, seeking his mother, who has rambled in the wide forest. I must go and assist his search.

Pri. He is very nimble; and you alone will never be able to confine him in one place. I must accompany you. [*Both going out.*]

Sac. Alas! I cannot consent to your going far: I shall be left alone.

Both. [*Smiling.*] Alone! with the sovereign of the world by your side! [*They go out.*]

Sac. How could my companions both leave me?

Dushm. Sweet maid, give yourself no concern. Am not I, who humbly solicit your favour, present in the room of them?—[*Aside.*—I must declare my passion.—[*Aloud.*—Why should not I, like them, wave this fan of lotos leaves, to raise cool breezes and dissipate your uneasiness? Why should not I, like them, lay softly in my lap those feet, red as water lilies, and press them, O my charmer, to relieve your pain?]

Sac. I should offend against myself, by receiving homage from a person entitled to my respect.

[*She rises, and walks slowly through weakness.*]

Dushm. The noon, my love, is not yet passed; and your sweet limbs are weak. Having left that couch where fresh flowers covered your bosom, you can ill sustain this intense heat with so languid a frame.

[*He gently draws her back.*]

Sac. Leave me, oh leave me. I am not, indeed, my own mistress, or—the two damsels were only appointed to attend me. What can I do at present?

Dushm. [*Aside.*] Fear of displeasing her makes me bashful.

Sac. [*Overhearing him.*] The king cannot give offence. It is my unhappy fate only that I accuse.

Dushm. Why should you accuse so favourable a destiny?

Sac.

Sac. How rather can I help blaming it, since it has permitted my heart to be affected by amiable qualities, without having left me at my own disposal?

Dushm. [*Aside.*] One would imagine that the charming sex, instead of being, like us, tormented with love, kept love himself within their hearts, to torment him with delay.

[*Sacotalá going out.*]

Dushm. [*Aside.*] How! must I then fail of attaining felicity?

[*Following her and catching the skirt of her mantle.*]

Sac. [*Turning back.*] Son of Puru, preserve thy reason; oh! preserve it.—The hermits are busy on all sides of the grove.

Dushm. My charmer, your fear of them is vain. Canna himself, who is deeply versed in the science of law, will be no obstacle to our union. Many daughters of the holiest men have been married by the ceremony called Gándharva, as it is practised by Indra's band, and even their fathers have approved them.—[*Looking round.*]—What say you? are you still inflexible? Alas! I must then depart.

[*Going from her a few paces, then looking back.*]

Sac. [*Moving also a few steps, and then turning back her face.*] Though I have refused compliance, and have only allowed you to converse with me for a moment, yet, O son of Puru—let not Sacotalá be wholly forgotten.

Dushm. Enchanting girl, should you be removed to the ends of the world, you will be fixed in this heart, as the shade of a lofty tree remains with it even when the day is departed.

Sac. [*Going out, aside.*] Since I have heard his protestations, my feet move, indeed, but without advancing. I will conceal myself behind those flowering Curuvacas, and thence I shall see the result of his passion.

[*She hides herself behind the shrubs.*]

Dushm. [*Aside.*] Can you leave me, beloved Sacotalá; me who am all affection? Could you not have tarried a single moment? Soft is your beautiful frame, and indicates a benevolent soul; yet your heart is obdurate: as the tender Sirísha hangs on a hard stalk.

Sac.

Sac. [*Afide.*] I really have now lost the power of departing.

Dufbm. [*Afide.*] What can I do in this retreat since my darling has left it?—[*Musing and looking round.*]—Ah! my departure is happily delayed.—Here lies her bracelet of flowers, exquisitely perfumed by the root of Usíra which had been spread on her bosom: it has fallen from her delicate wrist, and is become a new chain for my heart.

[*Taking up the bracelet with reverence.*

Sac. [*Afide, looking at her hand.*] Ah me! such was my languor, that the filaments of lotos stalks which bound my arm dropped on the ground unperceived by me.

Dufbm. [*Afide, placing it in his bosom.*] Oh! how delightful to the touch!—From this ornament of your lovely arm, O my darling, though it be inanimate and senseless, your unhappy lover has regained confidence—a bliss which you refused to confer.

Sac. [*Afide.*] I can stay here no longer. By this pretext I may return.

[*Going slowly towards him.*

Dufbm. [*With rapture.*] Ah! the empress of my soul again blesses these eyes. After all my misery I was destined to be favoured by indulgent heaven.—The bird Chátac, whose throat was parched with thirst, supplicated for a drop of water, and suddenly a cool stream poured into his bill from the bounty of a fresh cloud.

Sac. Mighty king, when I had gone half way to the cottage, I perceived that my bracelet of thin stalks had fallen from my wrist; and I return because my heart is almost convinced that you must have seen and taken it. Restore it, I humbly entreat, lest you expose both yourself and me to the censure of the hermits.

Dufbm. Yes, on one condition I will return it.

Sac. On what condition? Speak——

Dufbm. That I may replace it on the wrist to which it belongs.

Sac. [*Afide.*] I have no alternative.

[*Approaching him.*

Dufbm. But in order to replace it, we must both be seated on that smooth rock.

[*Both sit down.*

Dufbm.

Dushm. [*Taking her hand.*] O exquisite softness! This hand has regained its native strength and beauty, like a young shoot of Cāmalatā: or it resembles rather the god of love himself, when, having been consumed by the fire of Hara's wrath, he was restored to life by a shower of nectar sprinkled by the immortals.

Sac. [*Pressing his hand.*] Let the son of my lord make haste to tie on the bracelet.

Dushm. [*Aside, with rapture.*] Now I am truly blessed.—That phrase, the son of my lord, is applied only to a husband.—[*Aloud.*]—My charmer, the clasp of this bracelet is not easily loosened: it must be made to fit you better.

Sac. [*Smiling.*] As you please.

Dushm. [*Quitting her hand.*] Look, my darling: this is the new moon which left the firmament in honour of superior beauty, and, having descended on your enchanting wrist, has joined both its horns round it in the shape of a bracelet.

Sac. I really see nothing like a moon: the breeze, I suppose, has shaken some dust from the lotos flower behind my ears, and that has obscured my sight.

Dushm. [*Smiling.*] If you permit me, I will blow the fragrant dust from your eye.

Sac. It would be a kindness; but I cannot trust you.

Dushm. Oh! fear not, fear not. A new servant never transgresses the command of his mistress.

Sac. But a servant over-affiduous deserves no confidence.

Dushm. [*Aside.*] I will not let slip this charming occasion.—[*Attempting to raise her head—Sacontalā faintly repels him, but sits still.*]—O damsel with an antelope's eyes, be not apprehensive of my indiscretion.—[*Sacontalā looks up for a moment, and then bashfully drops her head—Dushmanta, aside, gently raising her head.*]—That lip, the softness of which is imagined, not proved, seems to pronounce, with a delightful tremour, its permission for me to allay my thirst.

Sac.

Sac. The son of my lord seems inclined to break his promise.

Dushm. Beloved, I was deceived by the proximity of the lotos to that eye which equals it in brightness. *[He blows gently on her eye.]*

Sac. Well; now I see a prince who keeps his word as it becomes his imperial character. Yet I am really ashamed that no desert of mine entitles me to the kind service of my lord's son.

Dushm. What reward can I desire, except that which I consider as the greatest, the fragrance of your delicious lip?

Sac. Will that content you?

Dushm. The bee is contented with the mere odour of the water lily.

Sac. If he were not, he would get no remedy.

Dushm. Yes, this and this—— *[Kissing her eagerly.]*

Behind the scenes. Hark! the Chacraváca is calling her mate on the bank of the Málinì: the night is beginning to spread her shades.

Sac. *[Listening alarmed.]* O son of my lord, the matron Gautamí approaches to enquire after my health. Hide yourself, I entreat, behind yon trees.

Dushm. I yield to necessity. *[He retires.]*

Gautamí enters with a vase in her hand.

Gaut. *[Looking anxiously at Sacotalá.]* My child, here is holy water for thee.—What! hast thou no companion here but the invisible gods; thou who art so much indisposed?

Sac. Both Priyamvadá and Anufúyá are just gone down to the river.

Gaut. *[Sprinkling her.]* Is thy fever, my child, a little abated?

[Feeling her hand.]

Sac. Venerable matron, there is a change for the better.

Gaut. Then thou art in no danger. Mayst thou live many years! The day is departing: let us both go to the cottage.

Sac. *[Aside, rising slowly.]* O my heart, no sooner hadst thou begun to taste happiness, than the occasion slipped away!—*[She advances a few steps, and returns to the arbour.]*—O bower of twining plants, by whom

my sorrows have been dispelled, on thee I call ; ardently hoping to be once more happy under thy shade. [*She goes out with Gautamí.*]

Dushm. [*Returning to the bower, and sighing.*] How, alas, have my desires been obstructed !—Could I do less than kiss the lips of my charmer, though her modest cheeks were half averted ; lips, whose sweetness had enchanted me, even when they pronounced a denial?—Whither now can I go?—I will remain a while in this arbour of creepers, which my darling's presence has illuminated.——[*Looking round.*]—Yes ; this is her seat on the rock, spread with blossoms, which have been pressed by her delicate limbs.—Here lies her exquisite love letter on the leaf of a water lily ; here lay her bracelet of tender filaments which had fallen from her sweet wrist.—Though the bower of twining Vétasas be now desolate, since my charmer has left it, yet, while my eyes are fixed on all these delightful memorials of her, I am unable to depart.——[*Musing.*]—Ah ! how imperfectly has this affair been conducted by a lover, like me, who, with his darling by his side, has let the occasion slip.—Should Sacotalá visit once more this calm retreat, the opportunity shall not pass again unimproved : the pleasures of youth are by nature transitory.—Thus my foolish heart forms resolutions, while it is distracted by the sudden interruption of its happiness. Why did it ever allow me to quit without effect the presence of my beloved ?

Behind the scenes. O king, while we are beginning our evening sacrifice, the figures of blood-thirsty demons, embrowned by clouds collected at the departure of day, glide over the sacred hearth, and spread consternation around.

Dushm. Fear not, holy men.—Your king will protect you. [*He goes out.*]

ACT.

ACT IV.

SCENE—A LAWN before the Cottage.

*The two damsels are discovered gathering flowers.**Anusúyá.*

O MY Priyamvadá, though our sweet friend has been happily married, according to the rites of Gandharvas, to a bridegroom equal in rank and accomplishments, yet my affectionate heart is not wholly free from care; and one doubt gives me particular uneasiness.

Pri. What doubt, my Anusúyá?

Anu. This morning the pious prince was dismissed with gratitude by our hermits, who had then completed their mystick rites: he is now gone to his capital, Hastinápura, where, surrounded by a hundred women in the recesses of his palace, it may be doubted whether he will remember his charming bride.

Pri. In that respect you may be quite easy. Men, so well informed and well educated as he, can never be utterly destitute of honour.—We have another thing to consider. When our father Canna shall return from his pilgrimage, and shall hear what has passed, I cannot tell how he may receive the intelligence.

Anu. If you ask my opinion, he will, I think, approve of the marriage.

Pri. Why do you think so?

Anu. Because he could desire nothing better, than that a husband so accomplished and so exalted should take Sacotalá by the hand. It was, you know, the declared object of his heart, that she might be suitably married; and, since heaven has done for him what he most wished to do, how can he possibly be dissatisfied?

Pri.

Pri. You reason well; but—[*Looking at her basket.*]—My friend, we have plucked a sufficient store of flowers to scatter over the place of sacrifice.

Anu. Let us gather more to decorate the temples of the goddesses who have procured for Sacontalá so much good fortune.

[*They both gather more flowers.*]

Behind the scenes. It is I——Hola!

Anu. [*Listening.*] I hear the voice, as it seems, of a guest arrived in the hermitage.

Pri. Let us hasten thither. Sacontalá is now reposing; but though we may, when she wakes, enjoy her presence, yet her mind will all day be absent with her departed lord.

Anu. Be it so; but we have occasion, you know, for all these flowers.

[*They advance.*]

Again behind the scenes. How! Dost thou show no attention to a guest? Then hear my imprecations——“He on whom thou art meditating, on whom alone thy heart is now fixed, while thou neglectest a pure gem of devotion who demands hospitality, shall forget thee, when thou seest him next, as a man restored to sobriety forgets the words which he uttered in a state of intoxication.”

[*Both damsels look at each other with affliction.*]

Pri. Wo is me! Dreadful calamity! Our beloved friend has, through mere absence of mind, provoked by her neglect, some holy man who expected reverence.

Anu. [*Looking.*] It must be so; for the cholerick Durvâsas is going hastily back.

Pri. Who else has power to consume, like raging fire, whatever offends him? Go, my Anusúyá; fall at his feet, and persuade him, if possible, to return: in the mean time I will prepare water and refreshments for him.

Anu. I go with eagerness.

[*She goes out.*]

Pri. [*Advancing hastily, her foot slips.*] Ah! through my eager haste
I have

I have let the basket fall; and my religious duties must not be postponed.
[*She gathers fresh flowers.*]

Anufúyá re-enters.

Anu. His wrath, my beloved, passes all bounds.—Who living could now appease him by the humblest prostrations or entreaties? yet at last he a little relented.

Pri. That little is a great deal for him.—But inform me how you soothed him in any degree.

Anu. When he positively refused to come back, I threw myself at his feet, and thus addressed him: “Holy sage, forgive, I entreat, the offence of an amiable girl, who has the highest veneration for you, but was ignorant, through distraction of mind, how exalted a personage was calling to her.”

Pri. What then? What said he?

Anu. He answered thus: “My word must not be recalled; but the spell which it has raised shall be wholly removed when her lord shall see his ring.” Saying this, he disappeared.

Pri. We may now have confidence; for before the monarch departed, he fixed with his own hand on the finger of Sacontalá the ring, on which we saw the name Dushmanta engraved, and which we will instantly recognize. On him therefore alone will depend the remedy for our misfortune.

Anu. Come, let us now proceed to the shrines of the goddesses, and implore their succour.
[*Both advance.*]

Pri. [Looking.] See, my Anufúyá, where our beloved friend sits, motionless as a picture, supporting her languid head with her left hand. With a mind so intent on one object, she can pay no attention to herself, much less to a stranger.

Anu. Let the horrid imprecation, Priyamvadá, remain a secret between us two: we must spare the feelings of our beloved, who is naturally susceptible of quick emotions.

Pri.

Pri. Who would pour boiling water on the blossom of a tender Mallicá?
[Both go out.]

A Pupil of Canna enters.

Pup. I am ordered by the venerable Canna, who is returned from the place of his pilgrimage, to observe the time of the night, and am, therefore, come forth to see how much remains of it.—[*Walking round, and observing the heavens.*]—On one side, the moon, who kindles the flowers of the Oshadhì, has nearly sunk in his western bed; and, on the other, the sun, seated behind his charioteer Arun, is beginning his course: the lustre of them both is conspicuous, when they rise and when they set; and by their example should men be equally firm in prosperous and in adverse fortune.—The moon has now disappeared, and the night flower pleases no more: it leaves only a remembrance of its odour, and languishes like a tender bride whose pain is intolerable in the absence of her beloved.—The ruddy morn impurples the dew drops on the branches of yonder Vadarì; the peacock, shaking off sleep, hastens from the cottages of hermits interwoven with holy grass; and yonder antelope, springing hastily from the place of sacrifice, which is marked with his hoofs, raises himself on high, and stretches his graceful limbs.—How is the moon fallen from the sky with diminished beams! the moon who had set his foot on the head of Suméru, king of mountains, and had climbed, scattering the rear of darkness, even to the central palace of Vishnu!—Thus do the great men of this world ascend with extreme labour to the summit of ambition, but easily and quickly descend from it.

Anufúyá enters meditating.

Anu. [*Aside.*] Such has been the affection of Sacontalá, though she was bred in austere devotion, averse from sensual enjoyments!—How unkind was the king to leave her!

Pup.

Pup. [*Afide.*] The proper time is come for performing the hóma : I must apprise our preceptor of it. [*He goes out.*]

Anu. The shades of night are dispersed ; and I am hardly awake ; but where I ever so perfectly in my senses, what could I now do ? My hands move not readily to the usual occupations of the morning.—Let the blame be cast on love, on love only, by whom our friend has been reduced to her present condition, through a monarch who has broken his word.—Or does the imprecation of Durvása already prevail ?—How else could a virtuous king, who made so solemn an engagement, have suffered so long a time to elapse without sending even a message ?—Shall we convey the fatal ring to him ?—Or what expedient can be suggested for the relief of this incomparable girl, who mourns without ceasing ?—Yet what fault has she committed ?—With all my zeal for her happiness, I cannot summon courage enough to inform our father Canna that she is pregnant.—What then, oh ! what step can I take to relieve her anxiety ?

Priyamvadá enters.

Pri. Come, Anusúyá, come quickly. They are making suitable preparations for conducting Sacontalá to her husband's palace.

Anu. [*With surprise.*] What say you, my friend ?

Pri. Hear me. I went just now to Sacontalá, meaning only to ask if she had slept well——

Anu. What then ? oh ! what then ?

Pri. She was sitting with her head bent on her knee, when our father Canna, entering her apartment, embraced and congratulated her.—“ My sweet child,” said he, “ there has been a happy omen : the
“ young Bráhmen who officiated in our morning sacrifice, though his
“ fight was impeded by clouds of smoke, dropped the clarified butter
“ into the very centre of the adorable flame.—Now, since the pious act
“ of my pupil has prospered, my foster child must not be suffered any
“ longer to languish in sorrow ; and this day I am determined to send
“ thee

"thee from the cottage of the old hermit who bred thee up, to the
"palace of the monarch who has taken thee by the hand."

Anu. My friend, who told Canna what passed in his absence?

Pri. When he entered the place where the holy fire was blazing he
heard a voice from heaven pronouncing divine measures.—

Anu. [*Amazed.*] Ah! you astonish me.

Pri. Hear the celestial verse:—"Know that thy adopted daughter,
"O pious Bráhmén, has received from Dushmanta a ray of glory
"destined to rule the world; as the wood Sami becomes pregnant with
"mysterious fire."

Anu. [*Embracing Priyamvadá.*] I am delighted, my beloved; I am
transported with joy. But—since they mean to deprive us of our friend
so soon as to-day, I feel that my delight is at least equalled by my
sorrow.

Pri. Oh! we must submit patiently to the anguish of parting. Our
beloved friend will now be happy; and that should console us.

Anu. Let us now make haste to dress her in bridal array. I have
already, for that purpose, filled the shell of a cocoa nut, which you see
fixed on an Amra tree, with the fragrant dust of Nágacéfaras: take it
down, and keep it in a fresh lotos leaf, whilst I collect some Góráchana
from the forehead of a sacred cow, some earth from consecrated ground,
and some fresh Cusa grass, of which I will make a paste to ensure good
fortune.

Pri. By all means. [*She takes down the perfume.—Anufúyá goes out.*

Behind the scenes. O Gautamí, bid the two Misras, Sárngarava and
Sáradwata, make ready to accompany my child Sacotalá.

Pri. [*Listening.*] Lose no time, Anufúyá, lose no time. Our father
Canna is giving orders for the intended journey to Hastinápura.

Anufúyá re-enters with the ingredients of her charm.

Anu. I am here: let us go, my Priyamvadá.

[*They both advance.*

Pri.

Pri. [*Looking.*] There stands our Sacontalá, after her bath at sunrise, while many holy women, who are congratulating her, carry baskets of hallowed grain.—Let us hasten to greet her.

Enter Sacontalá, Gautamí, and female Hermits.

Sac. I prostrate myself before the goddesses.

Gaut. My child, thou canst not pronounce too often the word goddesses : thus wilt thou procure great felicity for thy lord.

Herm. Mayst thou, O royal bride, be delivered of a hero !

[*The Hermits go out.*]

Both damsels. [*Approaching Sacontalá.*] Beloved friend, was your bath pleasant ?

Sac. O ! my friends, you are welcome : let us sit a while together.

[*They seat themselves.*]

Anu. Now you must be patient, whilst I bind on a charm to secure your happiness.

Sac. That is kind.—Much has been decided this day : and the pleasure of being thus attended by my sweet friends will not soon return.

[*Wiping off her tears.*]

Pri. Beloved, it is unbecoming to weep at a time when you are going to be so happy.—[*Both damsels burst into tears as they dress her.*]—Your elegant person deserves richer apparel : it is now decorated with such rude flowers as we could procure in this forest.

Canna's Pupil enters with rich clothes.

Pup. Here is a complete dress. Let the queen wear it auspiciously ; and may her life be long !

[*The women look with astonishment.*]

Gaut. My son, Háríta, whence came this apparel ?

Pup. From the devotion of our father Canna.

Gaut. What dost thou mean ?

Pup. Be attentive. The venerable sage gave this order : “ Bring fresh flowers for Sacontalá from the most beautiful trees ;” and suddenly

denly the woodnymphs appeared, raising their hands, which rivalled new leaves in beauty and softness. Some of them wove a lower mantle bright as the moon, the presage of her felicity; another pressed the juice of Lácshà to stain her feet exquisitely red; the rest were busied in forming the gayest ornaments; and they eagerly showered their gifts on us.

Pri. [*Looking at Sacontalá.*] Thus it is, that even the bee, whose nest is within the hollow trunk, does homage to the honey of the lotos flower.

Gaut. The nymphs must have been commissioned by the goddesses of the king's fortune, to predict the accession of brighter ornaments in his palace. [*Sacontalá looks modest.*]

Pup. I must hasten to Canna, who is gone to bathe in the Málinì, and let him know the signal kindness of the woodnymphs.

[*He goes out.*]

Anu. My sweet friend, I little expected so splendid a dress:—how shall I adjust it properly?—[*Considering.*—] Oh! my skill in painting will supply me with some hints; and I will dispose the drapery according to art.

Sac. I well know your affection for him.

Canna enters meditating.

Can. [*Aside.*] This day must Sacontalá depart: that is resolved; yet my soul is smitten with anguish.—My speech is interrupted by a torrent of tears, which my reason suppresses and turns inward: my very sight is dimmed.—Strange that the affliction of a forester, retired from the haunts of men, should be so excessive!—Oh, with what pangs must they who are fathers of families, be afflicted on the departure of a daughter! [*He walks round musing.*]

Pri. Now, my Sacontalá, you are becomingly decorated: put on this lower vest, the gift of sylvan goddesses.

[*Sacontalá rises and puts on the mantle.*]

Gaut.

Gaut. My child, thy spiritual father, whose eyes overflow with tears of joy, stands desiring to embrace thee. Hasten therefore to do him reverence. *[Sacontalá modestly bows to him.]*

Can. Mayst thou be cherished by thy husband, as Sarmisthà was cherished by Yayāti! Mayst thou bring forth a sovereign of the world, as she brought forth Puru!

Gaut. This, my child, is not a mere benediction; it is a boon actually conferred. *Faint*

Can. My best beloved, come and walk with me round the sacrificial fire.—*[They all advance.]*—May these fires preserve thee! Fires which spring to their appointed stations on the holy hearth, and consume the consecrated wood, while the fresh blades of mysterious Cusa lie scattered around them!—Sacramental fires, which destroy sin with the rising fumes of clarified butter!—*[Sacontalá walks with solemnity round the hearth.]*—Now set out, my darling, on thy auspicious journey.—*[Looking round.]*—Where are the attendants, the two Misras?

Enter Sárngarava and Sáradvata.

Both. Holy sage, we are here.

Can. My son, Sárngarava, show thy sister her way.

Sárn. Come, damsel.— *[They all advance.]*

Can. Hear, all ye trees of this hallowed forest; ye trees, in which the sylvan goddesses have their abode; hear, and proclaim, that Sacontalá is going to the palace of her wedded lord; she who drank not, though thirsty, before you were watered; she who cropped not, through affection for you, one of your fresh leaves, though she would have been pleased with such an ornament for her locks; she whose chief delight was in the season when your branches are spangled with flowers!

CHORUS of invisible WOODNYMPHS.

May her way be attended with prosperity! May propitious breezes
sprinkle,

sprinkle, for her delight, the odoriferous dust of rich blossoms! May pools of clear water, green with the leaves of the lotos, refresh her as she walks! and may shady branches be her defence from the scorching sun-beams! *[All listen with admiration.]*

Sárn. Was that the voice of the Cócila wishing a happy journey to Sacontalá?—Or did the nymphs, who are allied to the pious inhabitants of these woods, repeat the warbling of the musical bird, and make its greeting their own?

Gaut. Daughter, the sylvan goddesses, who love their kindred hermits, have wished you prosperity, and are entitled to humble thanks.

[Sacontalá walks round, bowing to the nymphs.]

Sac. *[Aside to Priyamvadá.]* Delighted as I am, O Priyamvadá, with the thought of seeing again the son of my lord, yet, on leaving this grove, my early asylum, I am scarce able to walk.

Pri. You lament not alone.—Mark the affliction of the forest itself when the time of your departure approaches!—The female antelope browses no more on the collected Cusa grass; and the peahen ceases to dance on the lawn: the very plants of the grove, whose pale leaves fall on the ground, lose their strength and their beauty.

Sac. Venerable father, suffer me to address this Mádhaví creeper, whose red blossoms inflame the grove.

Can. My child, I know thy affection for it.

Sac. *[Embracing the plant.]* O most radiant of twining plants, receive my embraces, and return them with thy flexible arms: from this day, though removed to a fatal distance, I shall for ever be thine.—O beloved father, consider this creeper as myself.

Can. My darling, thy amiable qualities have gained thee a husband equal to thyself: such an event has been long, for thy sake, the chief object of my heart; and now, since my solicitude for thy marriage is at an end, I will marry thy favourite plant to the bridegroom Amra, who sheds fragrance near her.—Proceed, my child, on thy journey.

Sac.

Sac. [*Approaching the two damsels.*] Sweet friends, let this Mádhaví creeper be a precious deposit in your hands.

Anu. and Pri. Alas! in whose care shall we be left? [*They both weep.*

Can. Tears are vain, Anusúyá: our Sacontalá ought rather to be supported by your firmness, than weakened by your weeping.

[*All advance.*

Sac. Father! when yon female antelope, who now moves slowly from the weight of the young ones with which she is pregnant, shall be delivered of them, send me, I beg, a kind message with tidings of her safety.—Do not forget.

Can. My beloved, I will not forget it.

Sac. [*Advancing, then stopping.*] Ah! what is it that clings to the skirts of my robe, and detains me? [*She turns round, and looks.*

Can. It is thy adopted child, the little fawn, whose mouth, when the sharp points of Cufa grass had wounded it, has been so often smeared by thy hand with the healing oil of Ingudi; who has been so often fed by thee with a handful of Syámáka grains, and now will not leave the footsteps of his protectress.

Sac. Why dost thou weep, tender fawn, for me, who must leave our common dwelling-place?—As thou wast reared by me when thou hadst lost thy mother, who died soon after thy birth, so will my foster-father attend thee, when we are separated, with anxious care.—Return, poor thing, return—we must part. [*She bursts into tears.*

Can. Thy tears, my child, ill suit the occasion: we shall all meet again: be firm: see the direct road before thee, and follow it.—When the big tear lurks beneath thy beautiful eyelashes, let thy resolution check its first efforts to disengage itself.—In thy passage over this earth, where the paths are now high, now low, and the true path seldom distinguished, the traces of thy feet must needs be unequal; but virtue will press thee right onward.

Sárn. It is a sacred rule, holy sage, that a benevolent man should accompany

company a traveller till he meet with abundance of water; and that rule you have carefully observed: we are now near the brink of a large pool. Give us, therefore, your commands, and return.

Can. Let us rest a while under the shade of this Vata tree——[*They all go to the shade.*]—What message can I send with propriety to the noble Dushmanta? [He meditates.

Anu. [*Aside to Sacotalá.*] My beloved friend, every heart in our asylum is fixed on you alone, and all are afflicted by your departure.—Look; the bird Chacraváca, called by his mate, who is almost hidden by water lilies, gives her no answer; but having dropped from his bill the fibres of lotos stalks which he had plucked, gazes on you with inexpressible tenderness.

Can. My son Sárngarava, remember, when thou shalt present Sacotalá to the king, to address him thus, in my name: “Considering us
“hermits as virtuous, indeed, but rich only in devotion, and considering
“also thy own exalted birth, retain thy love for this girl, which arose
“in thy bosom without any interference of her kindred; and look on
“her among thy wives with the same kindness which they experience:
“more than that cannot be demanded; since particular affection must
“depend on the will of heaven.”

Sárn. Your message, venerable man, is deeply rooted in my remembrance.

Can. [*Looking tenderly at Sacotalá.*] Now, my darling, thou too must be gently admonished.—We, who are humble foresters, are yet acquainted with the world which we have forsaken.

Sárn. Nothing can be unknown to the wife.

Can. Hear, my daughter——When thou art settled in the mansion of thy husband, show due reverence to him, and to those whom he reveres: though he have other wives, be rather an affectionate handmaid to them than a rival.—Should he displease thee, let not thy resentment lead thee to disobedience.—In thy conduct to thy domesticks be rigidly just and impartial;

impartial ; and seek not eagerly thy own gratifications.—By such behaviour young women become respectable ; but perverse wives are the bane of a family.—What thinks Gautamí of this lesson ?

Gaut. It is incomparable :—my child, be sure to remember it.

Can. Come, my beloved girl, give a parting embrace to me and to thy tender companions.

Sac. Must Anusúyá and Priyamvadá return to the hermitage ?

Can. They too, my child, must be suitably married ; and it would not be proper for them yet to visit the city ; but Gautamí will accompany thee.

Sac. [*Embracing him.*] Removed from the bosom of my father, like a young fandal tree, rent from the hills of Malaya, how shall I exist in a strange soil ?

Can. Be not so anxious. When thou shalt be mistress of a family, and consort of a king, thou mayst, indeed, be occasionally perplexed by the intricate affairs which arise from exuberance of wealth, but wilt then think lightly of this transient affliction, especially when thou shalt have a son (and a son thou wilt have) bright as the rising day-star.—Know also with certainty, that the body must necessarily, at the appointed moment, be separated from the soul : who, then, can be immoderately afflicted, when the weaker bounds of extrinsic relations are loosened, or even broken.

Sac. [*Falling at his feet.*] My father, I thus humbly declare my veneration for you.

Can. Excellent girl, may my effort for thy happiness prove successful.

Sac. [*Approaching her two companions.*] Come, then, my beloved friends, embrace me together. [*They embrace her.*]

Anu. My friend, if the virtuous monarch should not at once recollect you, only show him the ring on which his own name is engraved.

Sac. [*Starting.*] My heart flutters at the bare apprehension which you have raised.

Pri.

Pri. Fear not, sweet Sacontalá: love always raises ideas of misery, which are seldom or never realised.

Sárn. Holy sage, the sun has risen to a considerable height: let the queen hasten her departure.

Sac. [*Again embracing Canna.*] When, my father, oh! when again shall I behold this asylum of virtue?

Can. Daughter, when thou shalt long have been wedded, like this fruitful earth, to the pious monarch, and shalt have borne him a son, whose car shall be matchless in battle, thy lord shall transfer to him the burden of empire, and thou, with thy Dushmanta, shalt again seek tranquillity, before thy final departure, in this loved and consecrated grove.

Gaut. My child, the proper time for our journey passes away rapidly: suffer thy father to return.—Go, venerable man, go back to thy mansion, from which she is doomed to be so long absent.

Can. Sweet child, this delay interrupts my religious duties.

Sac. You, my father, will perform them long without sorrow; but I, alas! am destined to bear affliction.

Can. O! my daughter, compel me not to neglect my daily devotions.—[*Sighing.*]—No, my sorrow will not be diminished.—Can it cease, my beloved, when the plants which rise luxuriantly from the hallowed grains which thy hand has strown before my cottage, are continually in my sight?—Go, may thy journey prosper.

[*Sacontalá goes out with Gautamí and the two Misras.*]

Both damsels. [*Looking after Sacontalá with anguish.*] Alas! alas! our beloved is hidden by the thick trees.

Can. My children, since your friend is at length departed, check your immoderate grief, and follow me. [*They all turn back.*]

Both. Holy father, the grove will be a perfect vacuity without Sacontalá.

Can. Your affection will certainly give it that appearance.—[*He walks*]

walks round, meditating.]—Ah me!—Yes; at last my weak mind has attained its due firmness after the departure of my Sacontalá.—In truth a daughter must sooner or later be the property of another; and, having now sent her to her lord, I find my soul clear and undisturbed, like that of a man who has restored to its owner an inestimable deposit which he long had kept with solicitude.

[*They go out.*

ACT V.

SCENE—*The PALACE.**An old Chamberlain, sighing.**Chamberlain.*

ALAS! what a decrepit old age have I attained!—This wand, which I first held for the discharge of my customary duties in the secret apartments of my prince, is now my support, whilst I walk feebly through the multitude of years which I have passed.—I must now mention to the king, as he goes through the palace, an event which concerns himself: it must not be delayed.—[*Advancing slowly.*]—What is it?—Oh! I recollect: the devout pupils of Canna desire an audience.—How strange a thing is human life!—The intellects of an old man seem at one time luminous, and then on a sudden are involved in darkness, like the flame of a lamp at the point of extinction.—[*He walks round and looks.*]—There is Dushmanta: he has been attending to his people, as to his own family; and now with a tranquil heart seeks a solitary chamber; as an elephant the chief of his herd, having grazed the whole morning, and being heated by the meridian sun, repairs to a cool station during the oppressive heats.—Since the king is just risen from his tribunal, and must be fatigued, I am almost afraid to inform him at present that Canna's pupils are arrived: yet how should they who support nations enjoy rest?—The sun yokes his bright steeds for the labour of many hours; the gale breathes by night and by day; the prince of serpents continually sustains the weight of this earth; and equally incessant is the toil of that man, whose revenue arises from a sixth part of his people's income.

[*He walks about.**Enter*

Enter Dushmanta, Mádhavya, and Attendants.

Dushm. [*Looking oppressed with business.*] Every petitioner having attained justice, is departed happy ; but kings who perform their duties conscientiously are afflicted without end.—The anxiety of acquiring dominion gives extreme pain ; and when it is firmly established, the cares of supporting the nation incessantly harass the sovereign ; as a large umbrella, of which a man carries the staff in his own hand, fatigues while it shades him.

Behind the scenes. May the king be victorious !

Two Bards repeat stanzas.

First Bard. Thou seekest not thy own pleasure : no ; it is for the people that thou art harassed from day to day. Such, when thou wast created, was the disposition implanted in thy soul ! Thus a branchy tree bears on his head the scorching sunbeams, while his broad shade allays the fever of those who seek shelter under him.

Second Bard. When thou wieldest the rod of justice, thou bringest to order all those who have deviated from the path of virtue : thou biddest contention cease : thou wast formed for the preservation of thy people : thy kindred possess, indeed, considerable wealth ; but so boundless is thy affection, that all thy subjects are considered by thee as thy kinsmen.

Dushm. [*Listening.*] That sweet poetry refreshes me after the toil of giving judgements and publick orders.

Mádh. Yes ; as a tired bull is refreshed when the people say, “ There goes the lord of cattle.”

Dushm. [*Smiling.*] Oh ! art thou here, my friend : let us take our seats together. [*The king and Mádhavya sit down.—Musick behind the scenes.*]

Mádh. Listen, my royal friend. I hear a well-tuned Vínà sounding, as if it were in concert with the lutes of the gods, from yonder apartment.—The queen Hansamatì is preparing, I imagine, to greet you with a new song.

Dushm.

Dushm. Be silent, that I may listen.

Cham. [*Afide.*] The king's mind seems intent on some other business.
I must wait his leisure. [*Retiring on one side.*]

SONG. [*Behind the scenes.*]

“ Sweet bee, who, desirous of extracting fresh honey, wast wont to
“ kiss the soft border of the new-blown Amra flower, how canst thou
“ now be satisfied with the water lily, and forget the first object of thy
“ love?”

Dushm. The ditty breathes a tender passion.

Mádb. Does the king know its meaning? It is too deep for me.

Dushm. [*Smiling.*] I was once in love with Hansamati, and am now reproved for continuing so long absent from her.—Friend Mádhavya, inform the queen in my name that I feel the reproof.

Mádb. As the king commands; but—[*Rising slowly.*]—My friend, you are going to seize a sharp lance with another man's hand. I cannot relish your commission to an enraged woman.—A hermit cannot be happy till he has taken leave of all passions whatever.

Dushm. Go, my kind friend: the urbanity of thy discourse will appease her.

Mádb. What an errand!

[*He goes out.*]

Dushm. [*Afide.*] Ah! what makes me so melancholy on hearing a mere song on absence, when I am not in fact separated from any real object of my affection?—Perhaps the sadness of men, otherwise happy, on seeing beautiful forms and listening to sweet melody, arises from some faint remembrance of past joys and the traces of connections in a former state of existence.

[*He sits pensive and sorrowful.*]

Cham. [*Advancing humbly.*] May our sovereign be victorious!—Two religious men, with some women, are come from their abode in a forest near the Snowy Mountains, and bring a message from Canna.—The king will command.

Dushm.

Dushm. [*Surprised.*] What ! are pious hermits arrived in the company of women ?

Cham. It is even so.

Dushm. Order the priest Sómaratá, in my name, to shew them due reverence in the form appointed by the Veda ; and bid him attend me. I shall wait for my holy guests in a place fit for their reception.

Cham. I obey. [*He goes out.*]

Dushm. Wardour, point the way to the hearth of the consecrated fire.

Ward. This, O king, this is the way.—[*He walks before.*]—Here is the entrance of the hallowed enclosure : and there stands the venerable cow to be milked for the sacrifice, looking bright from the recent sprinkling of mystick water.—Let the king ascend.

[*Dushmanta is raised to the place of sacrifice on the shoulders of his Wardours.*]

Dushm. What message can the pious Canna have sent me?—Has the devotion of his pupils been impeded by evil spirits—or by what other calamity?—Or has any harm, alas ! befallen the poor herds who graze in the hallowed forest?—Or have the sins of the king tainted the flowers and fruits of the creepers planted by female hermits?—My mind is entangled in a labyrinth of confused apprehensions.

Ward. What our sovereign imagines, cannot possibly have happened; since the hermitage has been rendered secure from evil by the mere sound of his bowstring. The pious men, whom the king's benevolence has made happy, are come, I presume, to do him homage.

Enter Sárngarava, Sáradwata and Gautamí, leading Sacontalá by the band; and before them the old Chamberlain and the Priest.

Cham. This way, respectable strangers ; come this way.

Sárn. My friend Sáradwata, there sits the king of men, who has felicity at command, yet shows equal respect to all : here no subject, even of the lowest class, is received with contempt. Nevertheless, my soul
having

having ever been free from attachment to worldly things, I consider this hearth, although a crowd now surround it, as the station merely of consecrated fire.

Sárad. I was not less confounded than yourself on entering the populous city; but now I look on it, as a man just bathed in pure water, on a man smeared with oil and dust, as the pure on the impure, as the waking on the sleeping, as the free man on the captive, as the independent on the slave.

Priest. Thence it is, that men, like you two, are so elevated above other mortals.

Sac. [*Perceiving a bad omen.*] Venerable mother, I feel my right eye throb! What means this involuntary motion?

Gaut. Heaven avert the omen, my sweet child! May every delight attend thee! [*They all advance.*]

Priest. [*Shewing the king to them.*] There, holy men, is the protector of the people; who has taken his seat, and expects you.

Sárn. This is what we wished; yet we have no private interest in the business. It is ever thus: trees are bent by the abundance of their fruit; clouds are brought low, when they teem with salubrious rain; and the real benefactors of mankind are not elated by riches.

Ward. O king, the holy guests appear before you with placid looks, indicating their affection.

Dushm. [*Gazing at Sacontalá.*] Ah! what damsel is that, whose mantle conceals the far greater part of her beautiful form?—She looks, among the hermits, like a fresh green bud among faded and yellow leaves.

Ward. This at least, O king, is apparent; that she has a form which deserves to be seen more distinctly.

Dushm. Let her still be covered: she seems pregnant; and the wife of another must not be seen even by me.

Sac. [*Aside, with her hand to her bosom.*] O my heart, why dost thou palpitate?—Remember the beginning of thy lord's affection, and be tranquil.

Priest. May the king prosper! The respectable guests have been honoured

honoured as the law ordains ; and they have now a message to deliver from their spiritual guide : let the king deign to hear it.

Dushm. [*With reverence.*] I am attentive.

Both Misras. [*Extending their hands.*] Victory attend thy banners !

Dushm. I respectfully greet you both.

Both. Blessings on our sovereign !

Dushm. Has your devotion been uninterrupted ?

Sárn. How should our rites be disturbed, when thou art the preserver of all creatures ? How, when the bright sun blazes, should darkness cover the world ?

Dushm. [*Aside.*] The name of royalty produces, I suppose, all worldly advantages !—[*Aloud.*]—Does the holy Canna then prosper ?

Sárn. O king, they who gather the fruits of devotion may command prosperity. He first inquires affectionately whether thy arms are successful, and then addresses thee in these words :—

Dushm. What are his orders ?

Sárn. “ The contract of marriage, reciprocally made between thee
“ and this girl, my daughter, I confirm with tender regard ; since thou
“ art celebrated as the most honourable of men, and my Sacotalá is
“ Virtue herself in a human form, no blasphemous complaint will
“ henceforth be made against Brahmá for suffering discordant matches :
“ he has now united a bride and bridegroom with qualities equally tran-
“ scendent.—Since, therefore, she is pregnant by thee, receive her in
“ thy palace, that she may perform, in conjunction with thee, the
“ duties prescribed by religion.”

Gaut. Great king, thou hast a mild aspect ; and I wish to address thee in few words.

Dushm. [*Smiling.*] Speak, venerable matron.

Gaut. She waited not the return of her spiritual father ; nor were thy kindred consulted by thee. You two only were present, when your nuptials were solemnized : now, therefore, converse freely together in the absence of all others.

Sac.

Sac. [*Aside.*] What will my lord say?

Dushm. [*Aside, perplexed.*] How strange an adventure!

Sac. [*Aside.*] Ah me! how disdainfully he seems to receive the message!

Sárn. [*Aside.*] What means that phrase which I overheard, "How strange an adventure?"—[*Aloud.*]—Monarch, thou knowest the hearts of men. Let a wife behave ever so discreetly, the world will think ill of her, if she live only with her paternal kinsmen; and a lawful wife now requests, as her kindred also humbly entreat, that whether she be loved or not, she may pass her days in the mansion of her husband.

Dushm. What sayest thou!—Am I the lady's husband?

Sac. [*Aside, with anguish.*] O my heart, thy fears have proved just.

Sárn. Does it become a magnificent prince to depart from the rules of religion and honour, merely because he repents of his engagements?

Dushm. With what hope of success could this groundless fable have been invented?

Sárn. [*Angrily.*] The minds of those whom power intoxicates are perpetually changing.

Dushm. I am reproved with too great severity.

Gaut. [*To Sacontalá.*] Be not ashamed, my sweet child: let me take off thy mantle, that the king may recollect thee. [*She unveils her.*]

Dushm. [*Aside, looking at Sacontalá.*] While I am doubtful whether this unblemished beauty which is displayed before me has not been possessed by another, I resemble a bee fluttering at the close of night over a blossom filled with dew; and in this state of mind, I neither can enjoy nor forsake her.

Ward. [*Aside to Dushmanta.*] The king best knows his rights and his duties: but who would hesitate when a woman, bright as a gem, brings lustre to the apartments of his palace?

Sárn. What, O king, does thy strange silence import?

Dushm. Holy man, I have been meditating again and again, but have no recollection of my marriage with this lady. How then can I lay aside
all

all consideration of my military tribe, and admit into my palace a young woman who is pregnant by another husband?

Sac. [*Aside.*] Ah! wo is me.—Can there be a doubt even of our nuptials?—The tree of my hope, which had risen so luxuriantly, is at once broken down.

Sárn. Beware, lest the godlike sage, who would have bestowed on thee, as a free gift, his inestimable treasure, which thou hadst taken, like a base robber, should now cease to think of thee, who art lawfully married to his daughter, and should confine all his thoughts to her whom thy perfidy disgraces.

Sárad. Rest a while, my Sárngarava; and thou, Sacontalá, take thy turn to speak; since thy lord has declared his forgetfulness.

Sac. [*Aside.*] If his affection has ceased, of what use will it be to recall his remembrance of me?—Yet, if my soul must endure torment, be it so: I will speak to him.—[*Aloud to Dushmanta.*]—O my husband! —[*Pausing.*]—Or (if the just application of that sacred word be still doubted by thee) O son of Puru, is it becoming, that, having been once enamoured of me in the consecrated forest, and having shown the excess of thy passion, thou shouldst this day deny me with bitter expressions?

Dushm. [*Covering his ears.*] Be the crime removed from my soul!—Thou hast been instructed for some base purpose to vilify me, and make me fall from the dignity which I have hitherto supported; as a river which has burst its banks and altered its placid current, overthrows the trees that had risen aloft on them.

Sac. If thou sayst this merely from want of recollection, I will restore thy memory by producing thy own ring, with thy name engraved on it!

Dushm. A capital invention!

Sac. [*Looking at her finger.*] Ah me! I have no ring.

[*She fixes her eyes with anguish on Gautamí.*]

Gaut. The fatal ring must have dropped, my child from thy hand,

when thou tookest up water to pour on thy head in the pool of Sachítirt'ha, near the station of Sacrávatára.

Dushm. [*Smiling.*] So skilful are women in finding ready excuses !

Sac. The power of Bramá must prevail : I will yet mention one circumstance.

Dushm. I must submit to hear the tale.

Sac. One day, in a grove of Vétafas, thou tookest water in thy hand from its natural vase of lotos leaves——

Dushm. What followed ?

Sac. At that instant a little fawn, which I had reared as my own child, approached thee ; and thou saydst with benevolence : “ Drink “ thou first, gentle fawn.” He would not drink from the hand of a stranger, but received water eagerly from mine ; when thou saidst, with increasing affection : “ Thus every creature loves its companions ; you “ are both foresters alike, and both alike amiable.”

Dushm. By such interested and honied falsehoods are the souls of voluptuaries ensnared !

Gaut. Forbear, illustrious prince, to speak harshly. She was bred in a sacred grove where she learned no guile.

Dushm. Pious matron, the dexterity of females, even when they are untaught, appears in those of a species different from our own.—What would it be if they were duly instructed !—The female Cócilas, before they fly towards the firmament, leave their eggs to be hatched, and their young fed, by birds who have no relation to them.

Sac. [*With anger.*] Oh ! void of honour, thou measurest all the world by thy own bad heart. What prince ever resembled, or ever will resemble, thee, who wearest the garb of religion and virtue, but in truth art a base deceiver ; like a deep well whose mouth is covered with smiling plants !

Dushm. [*Afide.*] The rusticity of her education makes her speak thus angrily and inconsistently with female decorum.—She looks indignant ;
her

her eye glows ; and her speech, formed of harsh terms, falters as she utters them. Her lip, ruddy as the Bimba fruit, quivers as if it were nipped with frost ; and her eyebrows, naturally smooth and equal, are at once irregularly contracted.—Thus having failed in circumventing me by the apparent lustre of simplicity, she has recourse to wrath, and snaps in two the bow of Cáma, which, if she had not belonged to another, might have wounded me.—[*Aloud.*]—The heart of Dushmanta, young woman, is known to all ; and thine is betrayed by thy present demeanor.

Sac. [*Ironically.*] You kings are in all cases to be credited implicitly : you perfectly know the respect which is due to virtue and to mankind ; while females, however modest, however virtuous, know nothing, and speak nothing truly.—In a happy hour I came hither to seek the object of my affection : in a happy moment I received the hand of a prince descended from Puru ; a prince who had won my confidence by the honey of his words, whilst his heart concealed the weapon that was to pierce mine. [She hides her face and weeps.]

Sárn. This insufferable mutability of the king's temper kindles my wrath.—Henceforth let all be circumspect before they form secret connections : a friendship hastily contracted, when both hearts are not perfectly known, must ere long become enmity.

Dushm. Wouldst thou force me then to commit an enormous crime, relying solely on her smooth speeches ?

Sárn. [*Scornfully.*] Thou has heard an answer.—The words of an incomparable girl, who never learned what iniquity was, are here to receive no credit ; while they, whose learning consists in accusing others, and inquiring into crimes, are the only persons who speak truth !

Dushm. O man of unimpeached veracity, I certainly am what thou describest ; but what would be gained by accusing thy female associate ?

Sárn. Eternal misery.

Dushm. No ; misery will never be the portion of Puru's descendants.

Sárn. What avails our altercation?---O king, we have obeyed the commands of our preceptor, and now return. Sacontalá is by law thy wife,

wife, whether thou desert or acknowledge her; and the dominion of a husband is absolute.—Go before us, Gautamí.

[*The two Misras and Gautamí returning.*

Sac. I have been deceived by this perfidious man; but will you, my friends, will you also forsake me? [Following them.]

Gaut. [*Looking back.*] My son, Sacontalá follows us with affectionate supplications. What can she do here with a faithless husband; she who is all tenderness?

Sárn. [*Angrily to Sacontalá.*] O wife, who seest the faults of thy lord, dost thou desire independence? [Sacontalá stops, and trembles.]

Sárad. Let the queen hear. If thou beest what the king proclaims thee, what right hast thou to complain? But if thou knowest the purity of thy own soul, it will become thee to wait as a handmaid in the mansion of thy lord. Stay, then, where thou art: we must return to Canna.

Dushm. Deceive her not, holy men, with vain expectations. The moon opens the night flower; and the sun makes the water lily blossom: each is confined to its own object: and thus a virtuous man abstains from any connection with the wife of another.

Sárn. Yet thou, O king, who fearest to offend religion and virtue, art not afraid to desert thy wedded wife; pretending that the variety of thy publick affairs has made thee forget thy private contract.

Dushm. [*To his Priest.*] I really have no remembrance of any such engagement; and I ask thee, my spiritual counsellor, whether of the two offences be the greater, to forsake my own wife, or to have an intercourse with the wife of another?

Priest. [*After some deliberation.*] We may adopt an expedient between both.

Dushm. Let my venerable guide command.

Priest. The young woman may dwell till her delivery in my house.

Dushm. For what purpose?

Priest. Wise astrologers have assured the king, that he will be the father of an illustrious prince, whose dominion will be bounded by the western

western and eastern seas: now, if the holy man's daughter shall bring forth a son whose hands and feet bear the marks of extensive sovereignty, I will do homage to her as my queen, and conduct her to the royal apartments; if not, she shall return in due time to her father.

Dushm. Be it as you judge proper.

Priest. [*To Sacontalá.*] This way, my daughter, follow me.

Sac. O earth! mild goddess, give me a place within thy bosom!

[She goes out weeping with the Priest; while the two Misras go out by a different way with Gautamí—Dushmanta stands meditating on the beauty of Sacontalá; but the imprecation still clouds his memory.]

Behind the scenes. Oh! miraculous event!

Dushm. [*Listening.*] What can have happened!

The Priest re-enters.

Priest. Hear, O king, the stupendous event. When Canna's pupils had departed, Sacontalá, bewailing her adverse fortune, extended her arms and wept; when——

Dushm. What then?

Priest. A body of light, in a female shape, descended near Apfaraštirt'ha, where the nymphs of heaven are worshiped; and having caught her hastily in her bosom, disappeared. [*All express astonishment.*]

Dushm. I suspected from the beginning some work of forcery.—The business is over; and it is needless to reason more on it.—Let thy mind, Sómaráta, be at rest.

Priest. May the king be victorious.

[*He goes out.*]

Dushm. Chamberlain, I have been greatly harassed; and thou, Warder, go before me to a place of repose.

Ward. This way; let the king come this way.

Dushm. [*Advancing, aside.*] I cannot with all my efforts recollect my nuptials with the daughter of the hermit; yet so agitated is my heart, that it almost induces me to believe her story. [*All go out.*]

ACT

ACT VI.

SCENE—A STREET.

Enter a Superintendent of Police with two Officers, leading a man with his hands bound.

First Officer. Striking the prisoner.

TAKE that, Cumbhílaca, if Cumbhílaca be thy name; and tell us now where thou gottest this ring, bright with a large gem, on which the king's name is engraved.

Cumbb. [Trembling.] Spare me, I entreat your honours to spare me: I am not guilty of so great a crime as you suspect.

First Off. O distinguished Bráhmén, didst thou then receive it from the king as a reward of some important service?

Cumbb. Only hear me: I am a poor fisherman dwelling at Sacrávátára——

Second Off. Did we ask, thou thief, about thy tribe or thy dwelling-place.

Sup. O Súchaca, let the fellow tell his own story.——Now conceal nothing, firrah.

First Off. Dost thou hear? Do as our master commands.

Cumbb. I am a man who support my family by catching fish in nets, or with hooks, and by various other contrivances.

Sup. [Laughing.] A virtuous way of gaining a livelihood!

Cumbb. Blame me not, master. The occupation of our forefathers, how low soever, must not be forsaken; and a man who kills animals for sale may have a tender heart though his act be cruel.

Sup.

Sup. Go on, go on.

Cumbh. One day having caught a large Róhita fish, I cut it open, and saw this bright ring in its stomach; but when I offered to sell it, I was apprehended by your honours. So far only am I guilty of taking the ring. Will you now continue beating and bruising me to death?

Sup. [*Smelling the ring.*] It is certain, Jáluca, that this gem has been in the body of a fish. The case requires consideration; and I will mention it to some of the king's household.

Both Off. Come on, cutpurse.

[*They advance.*]

Sup. Stand here, Súchaca, at the great gate of the city, and wait for me, while I speak to some of the officers in the palace.

Both Off. Go, Rájayucta. May the king favour thee.

[*The Superintendent goes out.*]

Second Off. Our master will stay, I fear, a long while.

First Off. Yes; access to kings can only be had at their leisure.

Second Off. The tips of my fingers itch, my friend Jáluca, to kill this cutpurse.

Cumbh. You would put to death an innocent man.

First Off. [*Looking.*] Here comes our master.—The king has decided quickly. Now, Cumbhílaca, you will either see your companions again, or be the food of shakàls and vultures.

The Superintendent re-enters.

Sup. Let the fisherman immediately——

Cumbh. [*In an agony.*] Oh! I am a dead man.

Sup. ——be discharged.—Hola! set him at liberty. The king says he knows his innocence; and his story is true.

Second Off. As our master commands.—The fellow is brought back from the mansion of Yama, to which he was hastening.

[*Unbinding the fisherman.*]

Cumbh. [*Bowing.*] My lord, I owe my life to your kindness.

Sup. Rise, friend; and hear with delight that the king gives thee a sum
of

of money equal to the full value of the ring: it is a fortune to a man in thy station.

[*Giving him the money.*]

Cumbh. [*With rapture.*] I am transported with joy.

First Off. This vagabond seems to be taken down from the stake, and set on the back of a state elephant.

Second Off. The king, I suppose, has a great affection for his gem.

Sup. Not for its intrinsic value; but I guessed the cause of his ecstasy when he saw it.

Both Off. What could occasion it?

Sup. I suspect that it called to his memory some person who has a place in his heart; for though his mind be naturally firm, yet, from the moment when he beheld the ring, he was for some minutes excessively agitated.

Second Off. Our master has given the king extreme pleasure.

First Off. Yes; and by the means of this fish-catcher.

[*Looking fiercely at him.*]

Cumbh. Be not angry—Half the money shall be divided between you to purchase wine.

First Off. Oh! now thou art our beloved friend.—Good wine is the first object of our affection.—Let us go together to the vintners.

[*They all go out.*]

SCENE—*The GARDEN of the PALACE.*

The Nymph Mifracésí appears in the air.

Mifr. My first task was duly performed when I went to bathe in the Nymphs' pool; and I now must see with my own eyes how the virtuous king is afflicted.—Sacontalá is dear to this heart, because she is the daughter of my beloved Ménacà, from whom I received both commissions.—[*She looks round.*]—Ah! on a day full of delights the monarch's family seem oppressed with some new sorrow.—By exerting my supernatural power I could know what has passed; but respect must be shown to the
desire

desire of Ménacà. I will retire, therefore, among those plants, and observe what is done without being visible.

[She descends, and takes her station.]

Enter two Damsels, attendants on the God of Love.

First Damsel. *[Looking at an Amra flower.]* The blossoms of yon Amra, waving on the green stalk, are fresh and light as the breath of this vernal month. I must present the goddess Retí with a basket of them.

Second Damsel. Why, my Parabhriticá, dost thou mean to present it alone?

First Damsel. O my friend Madhucaricá, when a female Cócilà, which my name implies, sees a blooming Amra, she becomes entranced, and loses her recollection.

Second Damsel. *[With transport.]* What! is the season of sweets actually returned?

First Damsel. Yes; the season in which we must sing of nothing but wine and love.

Second Damsel. Support me, then, while I climb up this tree, and strip it of its fragrant gems, which we will carry as an offering to Cáma.

First Damsel. If I assist, I must have a moiety of the reward which the god will bestow.

Second Damsel. To be sure, and without any previous bargain. We are only one soul, you know, though Brahmà has given it two bodies.—
[She climbs up, and gathers the flowers.]—Ah! the buds are hardly opened.—Here is one a little expanded, which diffuses a charming odour—
[Taking a handful of buds.]—This flower is sacred to the god who bears a fish on his banner.—O sweet blossom, which I now consecrate, thou well deserveest to point the sixth arrow of Cámadéva, who now takes his bow to pierce myriads of youthful hearts.

[She throws down a blossom:]

The old Chamberlain enters.

Cham. [*Angrily.*] Desist from breaking off those half-opened buds: there will be no jubilee this year; our king has forbidden it.

Both Dams. Oh! pardon us. We really knew not the prohibition.

Cham. You knew it not!—Even the trees which the spring was decking, and the birds who perch on them, sympathize with our monarch. Thence it is, that yon buds, which have long appeared, shed not yet their prolifick dust; and the flower of the Curuvaca, though perfectly formed, remains veiled in a closed chalice; while the voice of the Cócilà, though the cold dews fall no more, is fixed within his throat; and even Smara, the god of desire, replaces the shaft half-drawn from his quiver.

Misr. [*Aside.*] The king, no doubt, is constant and tender-hearted.

First Dams. A few days ago, Mitravasu, the governor of our province, dispatched us to kiss the feet of the king, and we come to decorate his groves and gardens with various emblems: thence it is, that we heard nothing of his interdict.

Cham. Beware then of reiterating your offence.

Second Dams. To obey our lord will certainly be our delight; but, if we are permitted to hear the story, tell us, we pray, what has induced our sovereign to forbid the usual festivity.

Misr. [*Aside.*] Kings are generally fond of gay entertainments; and there must be some weighty reason for the prohibition.

Cham. [*Aside.*] The affair is publick: why should I not satisfy them?
——[*Aloud.*]—Has not the calamitous desertion of Sacontalá reached your ears?

First Dams. We heard her tale from the governor, as far as the fight of the fatal ring.

Cham. Then I have little to add.—When the king's memory was restored, by the sight of his gem, he instantly exclaimed: "Yes, the incomparable Sacontalá is my lawful wife; and when I rejected her, I had lost my reason."—He showed strong marks of extreme affliction and penitence; and from that moment he has abhorred the pleasures of life.

life. No longer does he exert his respectable talents from day to day for the good of his people: he prolongs his nights without closing his eyes, perpetually rolling on the edge of his couch; and when he rises, he pronounces not one sentence aptly; mistaking the names of the women in his apartments, and through distraction, calling each of them Sacontalá: then he sits abashed, with his head long bent on his knees.

Misr. [*Aside.*] This is pleasing to me, very pleasing.

Cham. By reason of the deep sorrow which now prevails in his heart, the vernal jubilee has been interdicted.

Both Dams. The prohibition is highly proper.

Behind the scenes. Make way! The king is passing.

Cham. [*Listening.*] Here comes the monarch: depart therefore, damsels, to your own province. [*The two Damsels go out.*]

Dushmanta enters in penitential weeds, preceded by a Warder, and attended by Mádhavya.

Cham. [*Looking at the king.*] Ah! how majestic are noble forms in every habiliment!—Our prince, even in the garb of affliction, is a venerable object.—Though he has abandoned pleasure, ornaments, and business; though he is become so thin, that his golden bracelet falls loosened even down to his wrist; though his lips are parched with the heat of his sighs, and his eyes are fixed open by long sorrow and want of sleep, yet am I dazzled by the blaze of virtue which beams in his countenance like a diamond exquisitely polished.

Misr. [*Aside, gazing on Dushmanta.*] With good reason is my beloved Sacontalá, though disgraced and rejected, heavily oppressed with grief through the absence of this youth.

Dushm. [*Advancing slowly, in deep meditation.*] When my darling with an antelope's eyes would have reminded me of our love, I was assuredly slumbering; but excess of misery has awakened me.

Misr. [*Aside.*] The charming girl will at last be happy.

Mádh.

Mádh. [*Afide.*] This monarch of ours is caught again in the gale of affection; and I hardly know a remedy for his illness.

Cham. [*Approaching Dushmanta.*] May the king be victorious!—Let him survey yon fine woodland, these cool walks, and this blooming garden; where he may repose with pleasure on banks of delight.

Dushm. [*Not attending to him.*] Warder, inform the chief minister in my name, that having resolved on a long absence from the city, I do not mean to sit for some time in the tribunal; but let him write and dispatch to me all the cases that may arise among my subjects.

Ward. As the king commands.

[*He goes out.*]

Dushm. [*To the Chamberlain.*] And thou, Párvatáyana, neglect not thy stated business.

Cham. By no means.

[*He goes out.*]

Mádh. You have not left a fly in the garden.—Amuse yourself now in this retreat, which seems pleased with the departure of the dewy season.

Dushm. O Mádhavya, when persons accused of great offences prove wholly innocent, see how their accusers are punished!—A phrensy obstructed my remembrance of any former love for the daughter of the sage; and now the heart-born god, who delights in giving pain, has fixed in his bow-string a new shaft pointed with the blossom of an Amra.—The fatal ring having restored my memory, see me deplore with tears of repentance the loss of my best beloved, whom I rejected without cause; see me overwhelmed with sorrow, even while the return of spring fills the hearts of all others with pleasure.

Mádh. Be still, my friend, whilst I break Love's arrows with my staff.

[*He strikes off some flowers from an Amra tree.*]

Dushm. [*Meditating.*] Yes, I acknowledge the supreme power of Brahma.—[*To Mádhavya.*] Where now, my friend, shall I sit and recreate my sight with the slender shrubs which bear a faint resemblance to the shape of Sacotalá?

Mádh. You will soon see the damsel skilled in painting, whom you informed

formed that you would spend the forenoon in yon bower of Mádhavî creepers ; and she will bring the queen's picture which you commanded her to draw.

Dushm. My soul will be delighted even by her picture.—Show the way to the bower.

Madb. This way, my friend.—[*They both advance, Misracésî following them.*—The arbour of twining Mádhavîs, embellished with fragments of stone like bright gems, appears by its pleasantness, though without a voice, to bid thee welcome.—Let us enter it, and be seated.

[*They both sit down in the bower.*

Misr. [*Aside.*] From behind these branchy shrubs I shall behold the picture of my Sacontalá.—I will afterwards hasten to report the sincere affection of her husband.

[*She conceals herself.*

Dushm. [*Sighing.*] O my approved friend, the whole adventure of the hermitage is now fresh in my memory.—I informed you how deeply I was affected by the first sight of the damsel ; but when she was rejected by me you were not present.—Her name was often repeated by me (how, indeed, should it not ?) in our conversation.—What ! hast thou forgotten, as I had, the whole story ?

Misr. [*Aside.*] The sovereigns of the world must not, I find, be left an instant without the objects of their love.

Madb. Oh, no : I have not forgotten it ; but at the end of our discourse you assured me that your love tale was invented solely for your diversion ; and this, in the simplicity of my heart, I believed.—Some great event seems in all this affair to be predestined in heaven.

Misr. [*Aside.*] Nothing is more true.

Dushm. [*Having meditated.*] O ! my friend, suggest some relief for my torment.

Madb. What new pain torments you ? Virtuous men should never be thus afflicted : the most violent wind shakes not mountains.

Dushm. When I reflect on the situation of your friend Sacontalá, who must now be greatly affected by my desertion of her, I am without comfort.

comfort.—She made an attempt to follow the Bráhmens and the matron : Stay, said the sage's pupil, who was revered as the sage himself ; Stay, said he, with a loud voice. Then once more she fixed on me, who had betrayed her, that celestial face, then bedewed with gushing tears ; and the bare idea of her pain burns me like an envenomed javelin.

Misr. [*Aside.*] How he afflicts himself ! I really sympathize with him.

Mádb. Surely some inhabitant of the heavens must have wafted her to his mansion.

Dushm. No ; what male divinity would have taken the pains to carry off a wife so firmly attached to her lord ? Ménacà, the nymph of Swerga, gave her birth ; and some of her attendant nymphs have, I imagine, concealed her at the desire of her mother.

Misr. [*Aside.*] To reject Sacontalá was, no doubt, the effect of a delirium, not the act of a waking man.

Mádb. If it be thus, you will soon meet her again.

Dushm. Alas ! why do you think so ?

Mádb. Because no father and mother can long endure to see their daughter deprived of her husband.

Dushm. Was it sleep that impaired my memory ? Was it delusion ? Was it an error of my judgement ? Or was it the destined reward of my bad actions ? Whatever it was, I am sensible that, until Sacontalá return to these arms, I shall be plunged in the abyss of affliction.

Mádb. Do not despair : the fatal ring is itself an example that the lost may be found.—Events which were foredoomed by Heaven must not be lamented.

Dushm. [*Looking at his ring.*] The fate of this ring, now fallen from a station which it will not easily regain, I may at least deplore.—O gem, thou art removed from the soft finger, beautiful with ruddy tips, on which a place had been assigned thee ; and, minute as thou art, thy bad qualities appear from the similitude of thy punishment to mine.

Misr. [*Aside.*] Had it found a way to any other hand its lot would have

have been truly deplorable.—O Ménacà, how wouldst thou be delighted with the conversation which gratifies my ears !

Mádh. Let me know, I pray, by what means the ring obtained a place on the finger of Sacotalá.

Dushm. You shall know, my friend.—When I was coming from the holy forest to my capital, my beloved, with tears in her eyes, thus addressed me : “ How long will the son of my lord keep me in his remembrance ? ”

Mádh. Well ; what then ?

Dushm. Then, fixing this ring on her lovely finger, I thus answered : “ Repeat each day one of the three syllables engraved on this gem ; and “ before thou hast spelled the word Dushmanta, one of my noblest officers shall attend thee, and conduct my darling to her palace.”—Yet I forgot, I deserted her in my phrensy.

Misr. [*Aside.*] A charming interval of three days was fixed between their separation and their meeting, which the will of Brahmà rendered unhappy.

Mádh. But how came the ring to enter, like a hook, into the mouth of a carp ?

Dushm. When my beloved was lifting water to her head in the pool of Sachitirt’ha, the ring must have dropped unseen.

Mádh. It is very probable.

Misr. [*Aside.*] Oh ! it was thence that the king, who fears nothing but injustice, doubted the reality of his marriage ; but how, I wonder, could his memory be connected with a ring ?

Dushm. I am really angry with this gem.

Mádh. [*Laughing.*] So am I with this staff.

Dushm. Why so, Mádhavya ?

Mádh. Because it presumes to be so straight when I am so crooked.—Impertinent stick !

Dushm. [*Not attending to him.*] How, O ring, couldst thou leave that hand adorned with soft long fingers, and fall into a pool decked only with water

water lilies?—The answer is obvious: thou art irrational.—But how could I, who was born with a reasonable soul, desert my only beloved?

Misr. [*Afide.*] He anticipates my remark.

Mádb. [*Afide.*] So; I must wait here during his meditations, and perish with hunger.

Dushm. O my darling, whom I treated with disrespect, and forsook without reason, when will this traitor, whose heart is deeply stung with repentant sorrow, be once more blessed with a sight of thee?

A Damsel enters with a picture.

Damf. Great king, the picture is finished. [*Holding it before him.*

Dushm. [*Gazing on it.*] Yes; that is her face; those are her beautiful eyes; those her lips embellished with smiles, and surpassing the red lustre of the Carcandhu fruit: her mouth seems, though painted, to speak, and her countenance darts beams of affection blended with a variety of melting tints.

Mádb. Truly, my friend, it is a picture sweet as love itself: my eye glides up and down to feast on every particle of it; and it gives me as much delight as if I were actually conversing with the living Sacontalá.

Misr. [*Afide.*] An exquisite piece of painting!—My beloved friend seems to stand before my eyes.

Dushm. Yet the picture is infinitely below the original; and my warm fancy, by supplying its imperfections, represents, in some degree, the loveliness of my darling.

Misr. [*Afide.*] His ideas are suitable to his excessive love and severe penitence.

Dushm. [*Sighing.*] Alas! I rejected her when she lately approached me, and now I do homage to her picture; like a traveller who negligently passes by a clear and full rivulet, and soon ardently thirsts for a false appearance of water on the sandy desert.

Mádb. There are so many female figures on this canvas, that I cannot well distinguish the lady Sacontalá.

Misr.

Misr. [*Aside.*] The old man is ignorant of her transcendent beauty ; her eyes, which fascinated the soul of his prince, never sparkled, I suppose, on Mádhavya.

Dushm. Which of the figures do you conceive intended for the queen ?

Mádb. [*Examining the picture.*] It is she, I imagine, who looks a little fatigued ; with the string of her vest rather loose ; the slender stalks of her arms falling languidly ; a few bright drops on her face, and some flowers dropping from her untied locks. Th^t must be the queen ; and the rest, I suppose, are her damsels.

Dushm. You judge well ; but my affection requires something more in the piece. Besides, through some defect in the colouring, a tear seems trickling down her cheek, which ill suits the state in which I desired to see her painted.—[*To the Damsel.*]—The picture, O Chaturicà, is unfinished.—Go back to the painting room and bring the implements of thy art.

Damf. Kind Mádhavya, hold the picture while I obey the king.

Dushm. No ; I will hold it.

[*He takes the picture ; and the Damsel goes out.*]

Mádb. What else is to be painted ?

Misr. [*Aside.*] He desires, I presume, to add all those circumstances which became the situation of his beloved in the hermitage.

Dushm. In this landscape, my friend, I wish to see represented the river Málinì, with some amorous Flamingos on its green margin ; farther back must appear some hills near the mountain Himálaya, furrounded with herds of Chamaras ; and in the foreground, a dark spreading tree, with some mantles of woven bark suspended on its branches to be dried by the sunbeams ; while a pair of black antelopes couch in its shade, and the female gently rubs her beautiful forehead on the horn of the male.

Mádb. Add what you please ; but, in my judgement, the vacant places should be filled with old hermits, bent, like me, towards the ground.

Dushm. [*Not attending to him.*] Oh ! I had forgotten that my beloved herself must have some new ornaments.

Mádb. What, I pray?

Mifr. [*Afide.*] Such, no doubt, as become a damsel bred in a forest.

Dushm. The artist had omitted a Sirísha flower with its peduncle fixed behind her soft ear, and its filaments waving over part of her cheek; and between her breasts must be placed a knot of delicate fibres, from the stalks of water lilies, like the rays of an autumnal moon.

Mádb. Why does the queen cover part of her face, as if she was afraid of something, with the tips of her fingers, that glow like the flowers of the Cuvalaya?—Oh! I now perceive an impudent bee, that thief of odours, who seems eager to sip honey from the lotos of her mouth.

Dushm. A bee! drive off the importunate insect.

Mádb. The king has supreme power over all offenders.

Dushm. O male bee, who approachest the lovely inhabitants of a flowery grove, why dost thou expose thyself to the pain of being rejected?—See where thy female sits on a blossom, and, though thirsty, waits for thy return: without thee she will not taste its nectar.

Mifr. [*Afide.*] A wild, but apt, address!

Mádb. The perfidy of male bees is proverbial.

Dushm. [*Angrily.*] Shouldst thou touch, O bee, the lip of my darling, ruddy as a fresh leaf on which no wind has yet breathed, a lip from which I drank sweetness in the banquet of love, thou shalt, by my order, be imprisoned in the center of a lotos.—Dost thou still disobey me?

Mádb. How can he fail to obey, since you denounce so severe a punishment?—[*Afide, laughing.*]—He is stark mad with love and affliction; whilst I, by keeping him company, shall be as mad as he without either.

Dushm. After my positive injunction, art thou still unmoved?

Mifr. [*Afide.*] How does excess of passion alter even the wife!

Mádb. Why, my friend, it is only a painted bee.

Mifr. [*Afide.*] Oh! I perceive his mistake: it shows the perfection of the art. But why does he continue musing?

Dushm. What ill-natured remark was that?—Whilst I am enjoying
the

the rapture of beholding her to whom my soul is attached, thou, cruel remembrancer, tellest me that it is only a picture.—[*Weeping.*]

Misr. [*Aside.*] Such are the woes of a separated lover! He is on all sides entangled in sorrow.

Dushm. Why do I thus indulge unremitted grief? That intercourse with my darling which dreams would give, is prevented by my continued inability to repose; and my tears will not suffer me to view her distinctly even in this picture.

Misr. [*Aside.*] His misery acquits him entirely of having deserted her in his perfect senses.

The Damsel re-enters.

Damsf. As I was advancing, O king, with my box of pencils and colours——

Dushm. [*Hastily.*] What happened?

Damsf. It was forcibly seized by the queen Vafumatì, whom her maid Pingalicà had apprised of my errand; and she said: “I will myself deliver the casket to the son of my lord.”

Mádb. How came you to be released?

Damsf. While the queen’s maid was disengaging the skirt of her mantle, which had been caught by the branch of a thorny shrub, I stole away.

Dushm. Friend Mádhavya, my great attention to Vafumatì has made her arrogant; and she will soon be here: be it your care to conceal the picture.

Mádb. [*Aside.*] I wish you would conceal it yourself.—[*He takes the picture, and rises.*]——[*Aloud.*]—If, indeed, you will disentangle me from the net of your secret apartments, to which I am confined, and suffer me to dwell on the wall Méghach’handà which encircles them, I will hide the picture in a place where none shall see it but pigeons.

[*He goes out.*

Misr.

Misr. [*Aside*] How honourably he keeps his former engagements, though his heart be now fixed on another object!

A Warder enters with a leaf.

Ward. May the king prosper!

Dushm. Warder, hast thou lately seen the queen Vafumatì?

Ward. I met her, O king; but when she perceived the leaf in my hand, she retired.

Dushm. The queen distinguishes time: she would not impede my public business.

Ward. The chief minister sends this message: "I have carefully stated a case which has arisen in the city, and accurately committed it to writing: let the king deign to consider it."

Dushm. Give me the leaf.—[*Receiving it, and reading.*]—"Be it presented at the foot of the king, that a merchant named Dhana-vriddhi, who had extensive commerce at sea, was lost in a late shipwreck: he had no child born; and has left a fortune of many millions, which belong, if the king commands, to the royal treasury."—[*With sorrow.*]—Oh! how great a misfortune it is to die childless! Yet with his affluence he must have had many wives:—let an inquiry be made whether any one of them is pregnant.

Ward. I have heard that his wife, the daughter of an excellent man, named Sácétaca, has already performed the ceremonies usual on pregnancy.

Dushm. The child, though unborn, has a title to his father's property.—Go: bid the minister make my judgement publick.

Ward. I obey.

[*Going.*]

Dushm. Stay a while.—

Ward. [*Returning.*] I am here.

Dushm. Whether he had or had not left offspring, the estate should not have been forfeited.—Let it be proclaimed, that whatever kinsman any one of my subjects may lose, Dushmanta (excepting always the case of

of forfeiture for crimes) will supply, in tender affection, the place of that kinsman.

Ward. The proclamation shall be made.—

[*He goes out.*]

[*Dushmanta continues meditating.*]

Re-enter Warder.

O king! the royal decree, which proves that your virtues are awake after a long slumber, was heard with bursts of applause.

Dushm. [*Sighing deeply.*] When an illustrious man dies, alas, without an heir, his estate goes to a stranger; and such will be the fate of all the wealth accumulated by the sons of Puru.

Ward. Heaven avert the calamity!

[*Goes out.*]

Dushm. Wo is me! I am stripped of all the felicity which I once enjoyed.

Misr. [*Aside.*] How his heart dwells on the idea of his beloved!

Dushm. My lawful wife, whom I basely deserted, remains fixed in my soul: she would have been the glory of my family, and might have produced a son brilliant as the richest fruit of the teeming earth.

Misr. [*Aside.*] She is not forsaken by all; and soon, I trust, will be thine.

Damf. [*Aside.*] What a change has the minister made in the king by sending him that mischievous leaf! Behold, he is deluged with tears.

Dushm. Ah me! the departed souls of my ancestors, who claim a share in the funeral cake, which I have no son to offer, are apprehensive of losing their due honour, when Dushmanta shall be no more on earth:—who then, alas, will perform in our family those obsequies which the Vêda prescribes?—My forefathers must drink, instead of a pure libation, this flood of tears, the only offering which a man who dies childless can make them.

[*Weeping.*]

Misr. [*Aside.*] Such a veil obscures the king's eyes, that he thinks it total darkness, though a lamp be now shining brightly.

Damf.

Damf. Afflict not yourself immoderately : our lord is young ; and when sons illustrious as himself shall be born of other queens, his ancestors will be redeemed from their offences committed here below.

Dushm. [*With agony.*] The race of Puru, which has hitherto been fruitful and unblemished, ends in me ; as the river Serefwatì disappears in a region unworthy of her divine stream. [*He faints.*]

Damf. Let the king resume confidence.— [*She supports him.*]

Misr. [*Aside.*] Shall I restore him ? No ; he will speedily be roused—I heard the nymph Dévajananì consoling Sacontalá in these words : “ As the gods delight in their portion of sacrifices, thus wilt thou soon be “ delighted by the love of thy husband.” I go, therefore, to raise her spirits, and please my friend Ménacà with an account of his virtues and his affection. [*She rises aloft and disappears.*]

Behind the scenes. A Bráhmen must not be slain : save the life of a Bráhmen.

Dushm. [*Reviving and listening.*] Hah ! was not that the plaintive voice of Mádhavya ?

Damf. He has probably been caught with the picture in his hand by Pingalicà and the other maids.

Dushm. Go, Chaturicà, and reprove the queen in my name for not restraining her servants.

Damf. As the king commands. [*She goes out.*]

Again behind the scenes. I am a Bráhmen, and must not be put to death.

Dushm. It is manifestly some Bráhmen in great danger.——Hola ! who is there ?

The old Chamberlain enters.

Cham. What is the king's pleasure ?

Dushm. Inquire why the faint-hearted Mádhavya cries out so piteously.

Cham. I will know in an instant. [*He goes out, and returns trembling.*]

Dushm. Is there any alarm, Párvatáyana ?

Cham. Alarm enough !

Dushm.

Dushm. What causes thy tremour?—Thus do men tremble through age: fear shakes the old man's body, as the breeze agitates the leaves of the Pippala.

Cham. Oh! deliver thy friend.

Dushm. Deliver him! from what?

Cham. From distress and danger.

Dushm. Speak more plainly.

Cham. The wall which looks to all quarters of the heavens, and is named, from the clouds which cover it, Méghach'handá——

Dushm. What of that?

Cham. From the summit of that wall, the pinnacle of which is hardly attainable even by the blue-necked pigeons, an evil being, invisible to human eyes, has violently carried away the friend of your childhood.

Dushm. [*Starting up hastily.*] What! are even my secret apartments infested by supernatural agents?—Royalty is ever subjected to molestation.—A king knows not even the mischiefs which his own negligence daily and hourly occasions:—how then should he know what path his people are treading; and how should he correct their manners when his own are uncorrected?

Behind the scenes. Oh, help! Oh, release me.

Dushm. [*Listening and advancing.*] Fear not, my friend, fear nothing——

Behind the scenes. Not fear, when a monster has caught me by the nape of my neck, and means to snap my backbone as he would snap a sugar-cane!

Dushm. [*Darting his eyes round.*] Hola! my bow——

A Warder enters with the king's bow and quiver.

Ward. Here are our great hero's arms.

[*Dushmanta takes his bow and an arrow.*]

Behind the scenes. Here I stand; and, thirsting for thy fresh blood,
will

will slay thee struggling as a tyger slays a calf.—Where now is thy protector, Dushmanta, who grasps his bow to defend the oppressed?

Dushm. [*Wrathfully.*] The demon names me with defiance.—Stay, thou basest of monsters.—Here am I, and thou shalt not long exist.—*[Raising his bow.]*—Show the way, Párvatáyana, to the stairs of the terrace.

Cham. This way, great king!—

[All go out hastily.]

The SCENE changes to a broad TERRACE.

Enter Dushmanta.

Dushm. [*Looking round.*] Ah! the place is deserted.

Behind the scenes. Save me, oh! save me.—I see thee, my friend, but thou canst not discern me, who, like a mouse in the claws of a cat, have no hope of life.

Dushm. But this arrow shall distinguish thee from thy foe, in spite of the magick which renders thee invisible.—Mádhavya, stand firm; and thou, blood-thirsty fiend, think not of destroying him whom I love and will protect.—See, I thus fix a shaft which shall pierce thee, who deserveest death, and shall save a Bráhmen who deserves long life; as the celestial bird sips the milk, and leaves the water which has been mingled with it.

[He draws the bowstring.]

Enter Mátali and Mádhavya.

Mát. The god Indra has destined evil demons to fall by thy shafts: against them let thy bow be drawn, and cast on thy friends eyes bright with affection.

Dushm. [*Astonished, giving back his arms.*] Oh! Mátali, welcome; I greet the driver of Indra's car.

Mádh. What! this cutthroat was putting me to death, and thou greetest him with a kind welcome!

Mát.

Mát. [*Smiling.*] O king, live long and conquer! Hear on what errand I am dispatched by the ruler of the firmament.

Dushm. I am humbly attentive.

Mát. There is a race of Dánavas, the children of Cálanémi, whom it is found hard to subdue—

Dushm. This I have heard already from Náred.

Mát. The god with an hundred sacrifices, unable to quell that gigantic race, commissions thee, his approved friend, to assail them in the front of battle; as the sun with seven steeds despairs of overcoming the dark legions of night, and gives way to the moon, who easily scatters them. Mount, therefore, with me, the car of Indra, and, grasping thy bow, advance to assured victory.

Dushm. Such a mark of distinction from the prince of good genii honours me highly; but say why you treated so roughly my poor friend Mádhavya.

Mát. Perceiving that, for some reason or another, you were grievously afflicted, I was desirous to rouse your spirits by provoking you to wrath.—The fire blazes when wood is thrown on it; the serpent, when provoked, darts his head against the assailant; and a man capable of acquiring glory, exerts himself when his courage is excited.

Dushm. [*To Mádhavya.*] My friend, the command of Divespetir must instantly be obeyed: go, therefore, and carry the intelligence to my chief minister; saying to him in my name: “Let thy wisdom secure
“my people from danger while this braced bow has a different employment.”

Mádh. I obey; but wish it could have been employed without assistance from my terror. [*He goes out.*]

Mát. Ascend, great king.

[*Dushmanta ascends, and Máta drives off the car.*]

ACT VII.

Dushmanta with Mátaí in the car of Indra, supposed to be above the clouds.

Dushmanta.

I AM sensible, O Mátaí, that, for having executed the commission which Indra gave me, I deserved not such a profusion of honours.

Mát. Neither of you is satisfied. You who have conferred so great a benefit on the god of thunder, consider it as a trifling act of devotion; whilst he reckons not all his kindness equal to the benefit conferred.

Dushm. There is no comparison between the service and the reward.—He surpassed my warmest expectation, when, before he dismissed me, he made me sit on half of his throne, thus exalting me before all the inhabitants of the Empyreum; and smiling to see his son Jayanta, who stood near him, ambitious of the same honour, perfumed my bosom with essence of heavenly sandal wood, throwing over my neck a garland of flowers blown in paradise.

Mát. O king, you deserve all imaginable rewards from the sovereign of good genii; whose empyreal feats have twice been disentangled from the thorns of Danu's race; formerly by the claws of the man-lion, and lately by thy unerring shafts.

Dushm. My victory proceeded wholly from the auspices of the god; as on earth, when servants prosper in great enterprises, they owe their success to the magnificence of their lords.——Could Arun dispel the shades
of

of night if the deity with a thousand beams had not placed him before the car of day?

Mát. That case, indeed, is parallel.—[*Driving slowly.*]—See, O king, the full exaltation of thy glory, which now rides on the back of heaven! The delighted genii have been collecting, among the trees of life, those crimson and azure dyes, with which the celestial damsels tinge their beautiful feet; and they now are writing thy actions in verses worthy of divine melody.

Dushm. [*Modestly.*] In my transport, O Mátali, after the rout of the giants, this wonderful place had escaped my notice.—In what path of the winds are we now journeying?

Mát. This is the way which leads along the triple river, heaven's brightest ornament, and causes yon luminaries to roll in a circle with diffused beams: it is the course of a gentle breeze which supports the floating forms of the gods; and this path was the second step of Vishnu, when he confounded the proud Vali.

Dushm. My internal soul, which acts by exterior organs, is filled by the sight with a charming complacency.—[*Looking at the wheels.*]—We are now passing, I guess, through the region of clouds.

Mát. Whence do you form that conjecture?

Dushm. The car itself instructs me that we are moving over clouds pregnant with showers; for the circumference of its wheels disperses pellucid water; the horses of Indra sparkle with lightning; and I now see the warbling Chátacas descend from their nests on the summits of mountains.

Mát. It is even so; and in another moment you will be in the country which you govern.

Dushm. [*Looking down.*] Through the rapid, yet imperceptible, descent of the heavenly steeds, I now perceive the allotted station of men.—Astonishing prospect! It is yet so distant from us, that the low lands appear confounded with the high mountain tops; the trees erect their branchy shoulders, but seem leafless; the rivers look like bright lines, but
their

their waters vanish; and, at this instant, the globe of earth seems thrown upwards by some stupendous power.

Mát. [*Looking with reverence on the earth.*] How delightful is the abode of mankind!—O king, you saw distinctly.

Dushm. Say, Máta, what mountain is that which, like an evening cloud, pours exhilarating streams, and forms a golden zone between the western and eastern seas?

Mát. That, O king, is the mountain of Gandharvas, named Hémacúta: the universe contains not a more excellent place for the successful devotion of the pious. There Casyapa, father of the immortals, ruler of men, son of Maríchi, who sprang from the self-existent, resides with his consort Aditi, blessed in holy retirement.

Dushm. [*Devoutly.*] This occasion of attaining good fortune must not be neglected: may I approach the divine pair, and do them complete homage?

Mát. By all means.—It is an excellent idea!—We are now descended on earth.

Dushm. [*With wonder.*] These chariot wheels yield no sound; no dust arises from them; and the descent of the car gave me no shock.

Mát. Such is the difference, O king, between thy car and that of Indra!

Dushm. Where is the holy retreat of Maríchi?

Mát. [*Pointing.*] A little beyond that grove, where you see a pious Yógi, motionless as a pollard, holding his thick bushy hair, and fixing his eyes on the solar orb.—Mark; his body is half covered with a white ant's edifice made of raised clay; the skin of a snake supplies the place of his sacerdotal thread, and part of it girds his loins; a number of knotty plants encircle and wound his neck; and surrounding birds' nests almost conceal his shoulders.

Dushm. I bow to a man of his austere devotion.

Mát. [*Checking the reins.*] Thus far, and enough.—We now enter the sanctuary of him who rules the world, and the groves which are watered by streams from celestial sources.

Dushm.

Dushm. This asylum is more delightful than paradise itself: I could fancy myself bathing in a pool of nectar.

Mát. [*Stopping the car.*] Let the king descend.

Dushm. [*Joyfully descending.*] How canst thou leave the car?

Mát. On such an occasion it will remain fixed: we may both leave it.—This way, victorious hero, this way.—Behold the retreat of the truly pious.

Dushm. I see with equal amazement both the pious and their awful retreat.—It becomes, indeed, pure spirits to feed on balmy air in a forest blooming with trees of life; to bathe in rills dyed yellow with the golden dust of the lotos, and to fortify their virtue in the mysterious bath; to meditate in caves, the pebbles of which are unblemished gems; and to restrain their passions, even though nymphs of exquisite beauty frolick around them: in this grove alone is attained the summit of true piety, to which other hermits in vain aspire.

Mát. In exalted minds the desire of perfect excellence continually increases.—[*Turning aside.*]—Tell me, Vriddhásácalya, in what business is the divine son of Maríchi now engaged?—What sayest thou?—Is he conversing with the daughter of Dacsha, who practises all the virtues of a dutiful wife, and is consulting him on moral questions?—Then we must await his leisure.—[*To Dushmanta.*] Rest, O king, under the shade of this Áśoca tree, whilst I announce thy arrival to the father of Indra.

Dushm. As you judge right.—[*Mátali goes out.*—*Dushmanta feels his right arm throb.*] Why, O my arm, dost thou flatter me with a vain omen?—My former happiness is lost, and misery only remains.

Behind the scenes. Be not so restless: in every situation thou showest thy bad temper.

Dushm. [*Listening.*] Hah! this is no place, surely, for a malignant disposition.—Who can be thus rebuked?—[*Looking with surprise.*]—I see a child, but with no childish countenance or strength, whom two female anchorites are endeavouring to keep in order; while he forcibly pulls

pulls towards him, in rough play, a lion's whelp with a torn mane, who seems just dragged from the half-fucked nipple of the lioness !

A little Boy and two female Attendants are discovered, as described by the king.

Boy. Open thy mouth, lion's whelp, that I may count thy teeth.

First Atten. Intractable child ! Why dost thou torment the wild animals of this forest, whom we cherish as if they were our own offspring ? ----Thou seemest even to sport in anger.---Aptly have the hermits named thee Servademana, since thou tamest all creatures.

Dushm. Ah ! what means it that my heart inclines to this boy as if he were my own son ?—[*Meditating.*]—Alas ! I have no son ; and the reflection makes me once more soft-hearted.

Second Atten. The lioness will tear thee to pieces if thou release not her whelp.

Boy. [*Smiling.*] Oh ! I am greatly afraid of her to be sure !

[*He bites his lip, as in defiance of her.*]

Dushm. [*Aside, amazed.*] The child exhibits the rudiments of heroick valour, and looks like fire which blazes from the addition of dry fuel.

First Atten. My beloved child, set at liberty this young prince of wild beasts ; and I will give thee a prettier plaything.

Boy. Give it first.—Where is it ? [*Stretching out his hand.*]

Dushm. [*Aside, gazing on the child's palm.*] What ! the very palm of his hand bears the marks of empire ; and whilst he thus eagerly extends it, shows its lines of exquisite network, and glows like a lotos expanded at early dawn, when the ruddy splendour of its petals hides all other tints in obscurity.

Second Atten. Mere words, my Suvrità, will not pacify him.—Go, I pray, to my cottage, where thou wilt find a plaything made for the hermit's child, Sancara : it is a peacock of earthen-ware painted with rich colours.

First Atten. I will bring it speedily.

[*She goes out.*]

Boy.

Boy. In the mean time I will play with the young lion.

Second Atten. [*Looking at him with a smile.*] Let him go, I entreat thee.

Dushm. [*Aside.*] I feel the tenderest affection for this unmanageable child. [*Sighing.*]—How sweet must be the delight of virtuous fathers, when they soil their bosoms with dust by lifting up their playful children, who charm them with inarticulate prattle, and show the white blossoms of their teeth, while they laugh innocently at every trifling occurrence!

Second Atten. [*Raising her finger.*] What! dost thou show no attention to me?—[*Looking round.*]—Are any of the hermits near?—[*Seeing Dushmanta.*]—Oh! let me request you, gentle stranger, to release the lion's whelp, who cannot disengage himself from the grasp of this robust child.

Dushm. I will endeavour.—[*Approaching the Boy and smiling.*]—O thou, who art the son of a pious anchorite, how canst thou dishonour thy father, whom thy virtues would make happy, by violating the rules of this consecrated forest? It becomes a black serpent only, to infest the boughs of a fragrant sandal tree. [*The Boy releases the lion.*]

Second Atten. I thank you, courteous guest;—but he is not the son of an anchorite.

Dushm. His actions, indeed, which are conformable to his robustness, indicate a different birth: but my opinion arose from the sanctity of the place which he inhabits.—[*Taking the Boy by the hand.*]—[*Aside.*]—Oh! since it gives me such delight merely to touch the hand of this child, who is the hopeful scion of a family unconnected with mine, what rapture must be felt by the fortunate man from whom he sprang?

Second Atten. [*Gazing on them alternately.*] Oh wonderful!

Dushm. What has raised your wonder?

Second Atten. The astonishing resemblance between the child and you, gentle stranger, to whom he bears no relation.—It surprised me also to see, that although he has childish humours, and had no former acquaintance with you, yet your words have restored him to his natural good temper.

Dushm.

Dushm. [*Raising the Boy to his bosom.*] Holy matron, if he be not the son of a hermit, what then is the name of his family ?

Second Atten. He is descended from Puru.

Dushm. [*Aside.*] Hah ! thence, no doubt, springs his disposition, and my affection for him.—[*Setting him down.*]—[*Aloud.*] It is, I know, an established usage among the princes of Puru's race, to dwell at first in rich palaces with stuccoed walls, where they protect and cherish the world, but in the decline of life to seek humbler mansions near the roots of venerable trees, where hermits with subdued passions practise austere devotion.—I wonder, however, that this boy, who moves like a god, could have been born of a mere mortal.

Second Atten. Affable stranger, your wonder will cease when you know that his mother is related to a celestial nymph, and brought him forth in the sacred forest of Casyapa.

Dushm. [*Aside.*] I am transported.—This is a fresh ground of hope.—[*Aloud.*]—What virtuous monarch took his excellent mother by the hand ?

Second Atten. Oh ! I must not give celebrity to the name of a king who deserted his lawful wife.

Dushm. [*Aside.*] Ah ! she means me.—Let me now ask the name of the sweet child's mother.—[*Meditating.*]—But it is against good manners to inquire concerning the wife of another man.

The First Attendant re-enters with a toy.

First Atten. Look, Servademana, look at the beauty of this bird, Saconta lāvanyam.

Boy. [*Looking eagerly round.*] Sacontalá ! Oh, where is my beloved mother ?

[*Both Attendants laugh.*]

First Atten. He tenderly loves his mother, and was deceived by an equivocal phrase.

Second Atten. My child, she meant only the beautiful shape and colours of this peacock.

Dushm.

Dushm. [*Afide.*] Is my Sacontalá then his mother? Or has that dear name been given to some other woman?—This conversation resembles the fallacious appearance of water in a desert, which ends in bitter disappointment to the stag parched with thirst.

Boy. I shall like the peacock if it can run and fly; not else.

[*He takes it.*

First Atten. [*Looking round in confusion.*] Alas, the child's amulet is not on his wrist!

Dushm. Be not alarmed. It was dropped while he was playing with the lion: I see it, and will put it into your hand.

Both. Oh! beware of touching it.

First Atten. Ah! he has actually taken it up.

[*They both gaze with surprise on each other.*

Dushm. Here it is; but why would you have restrained me from touching this bright gem?

Second Atten. Great monarch, this divine amulet has a wonderful power, and was given to the child by the son of Maríchi, as soon as the sacred rites had been performed after his birth: whenever it fell on the ground, no human being but the father or mother of this boy could have touched it unhurt.

Dushm. What if a stranger had taken it?

First Atten. It would have become a serpent and wounded him.

Dushm. Have you seen that consequence on any similar occasion?

Both. Frequently.

Dushm. [*With transport.*] I may then exult on the completion of my ardent desire.

[*He embraces the child.*

Second Atten. Come, Suvritá, let us carry the delightful intelligence to Sacontalá, whom the harsh duties of a separated wife have so long oppressed.

[*The Attendants go out.*

Boy. Farewell; I must go to my mother.

Dushm. My darling son, thou wilt make her happy by going to her with me.

Boy. Dushmanta is my father ; and you are not Dushmanta.

Dushm. Even thy denial of me gives me delight.

Sacotalá enters in mourning apparel, with her long hair twisted in a single braid, and flowing down her back.

Sac. [*Aside.*] Having heard that my child's amulet has proved its divine power, I must either be strangely diffident of my good fortune, or that event which Mifracésì predicted has actually happened. [*Advancing.*

Dushm. [*With a mixture of joy and sorrow.*] Ah ! do I see the incomparable Sacotalá clad in sordid weeds ?—Her face is emaciated by the performance of austere duties ; one twisted lock floats over her shoulder ; and with a mind perfectly pure, she supports the long absence of her husband, whose unkindness exceeded all bounds.

Sac. [*Seeing him, yet doubting.*] Is that the son of my lord grown pale with penitence and affliction ?—If not, who is it, that sullies with his touch the hand of my child, whose amulet should have preserved him from such indignity ?

Boy. [*Going hastily to Sacotalá.*] Mother, here is a stranger who calls me son.

Dushm. Oh ! my best beloved, I have treated thee cruelly ; but my cruelty is succeeded by the warmest affection ; and I implore your remembrance and forgiveness.

Sac. [*Aside.*] Be confident, O my heart !—[*Aloud.*]—I shall be most happy when the king's anger has passed away.—[*Aside.*]—This must be the son of my lord.

Dushm. By the kindness of heaven, O loveliest of thy sex, thou standest again before me, whose memory was obscured by the gloom of fascination ; as the star Róhinì at the end of an eclipse rejoins her beloved moon.

Sac. May the king be—

[*She bursts into tears.*

Dushm. My darling, though the word victorious be suppressed by thy weeping,

weeping, yet I must have victory, since I see thee again, though with pale lips and a body unadorned.

Boy. What man is this, mother?

Sac. Sweet child, ask the divinity, who presides over the fortunes of us both. *[She weeps.]*

Dusbm. O my only beloved, banish from thy mind my cruel desertion of thee.—A violent phrensy overpowered my soul.—Such, when the darkness of illusion prevails, are the actions of the best intentioned; as a blind man, when a friend binds his head with a wreath of flowers, mistakes it for a twining snake, and foolishly rejects it.

[He falls at her feet.]

Sac. Rise, my husband, oh! rise—My happiness has been long interrupted; but joy now succeeds to affliction, since the son of my lord still loves me.—*[He rises.]*—How was the remembrance of this unfortunate woman restored to the mind of my lord's son?

Dusbm. When the dart of misery shall be wholly extracted from my bosom, I will tell you all; but since the anguish of my soul has in part ceased, let me first wipe off that tear which trickles from thy delicate eye-lash; and thus efface the memory of all the tears which my delirium has made thee shed.

[He stretches out his hand.]

Sac. *[Wiping off her tears, and seeing the ring on his finger.]* Ah! is that the fatal ring?

Dusbm. Yes; by the surprising recovery of it my memory was restored.

Sac. Its influence, indeed, has been great; since it has brought back the lost confidence of my husband.

Dusbm. Take it then, as a beautiful plant receives a flower from the returning season of joy.

Sac. I cannot again trust it.—Let it be worn by the son of my lord.

Mátali enters.

Mát. By the will of heaven the king has happily met his beloved wife, and seen the countenance of his little son.

Dusbm.

Dushm. It was by the company of my friend that my desire attained maturity.—But say, was not this fortunate event previously known to Indra?

Mát. [*Smiling.*] What is unknown to the gods?—But come: the divine Marícha desires to see thee.

Dushm. Beloved, take our son by the hand; and let me present you both to the father of immortals.

Sac. I really am ashamed, even in thy presence, to approach the deities.

Dushm. It is highly proper on so happy an occasion—Come, I entreat thee. [*They all advance.*]

The scene is withdrawn, and Casyapa is discovered on a throne conversing with Aditi.

Cas. [*Pointing to the king.*] That, O daughter of Dacsha, is the hero who led the squadrons of thy son to the front of battle, a sovereign of the earth, Dushmanta; by the means of whose bow the thunder-bolt of Indra (all its work being accomplished) is now a mere ornament of his heavenly palace.

Adi. He bears in his form all the marks of exalted majesty.

Mát. [*To Dushmanta.*] The parents of the twelve Adityas, O king, are gazing on thee, as on their own offspring, with eyes of affection.—Approach them, illustrious prince.

Dushm. Are those, O Máta, the divine pair, sprung from Maríchi and Dacsha?—Are those the grand-children of Brahmá, to whom the self-existent gave birth in the beginning; whom inspired mortals pronounce the fountain of glory apparent in the form of twelve suns; they who produced my benefactor, the lord of a hundred sacrifices, and ruler of three worlds?

Mát. Even they — [*Prostrating himself with Dushmanta.*] — Great beings, the king Dushmanta, who has executed the commands of your son Vasava, falls humbly before your throne.

Cas.

Caf. Continue long to rule the world.

Adi. Long be a warrior with a car unshattered in combat.

[*Sacotalá and her son prostrate themselves.*]

Caf. Daughter, may thy husband be like Indra ! May thy son resemble Jayanta ! And mayst thou (whom no benediction could better suit) be equal in prosperity to the daughter of Pulóman !

Adi. Preserve, my child, a constant unity with thy lord : and may this boy, for a great length of years, be the ornament and joy of you both !
Now be seated near us. [They all sit down.]

Caf. [*Looking at them by turns.*] Sacotalá is the model of excellent wives ; her son is dutiful ; and thou, O king, hast three rare advantages, true piety, abundant wealth, and active virtue.

Dushm. O divine being, having obtained the former object of my most ardent wishes, I now have reached the summit of earthly happiness through thy favour, and thy benison will ensure its permanence.—First appears the flower, then the fruit ; first clouds are collected, then the shower falls : such is the regular course of causes and effects ; and thus, when thy indulgence preceded, felicity generally followed.

Mát. Great indeed, O king, has been the kindness of the primeval Bráhmens.

Dushm. Bright son of Maríchi, this thy handmaid was married to me by the ceremony of Gandharvas, and, after a time, was conducted to my palace by some of her family ; but my memory having failed through delirium, I rejected her, and thus committed a grievous offence against the venerable Canna, who is of thy divine lineage : afterwards, on seeing this fatal ring, I remembered my love and my nuptials ; but the whole transaction yet fills me with wonder. My soul was confounded with strange ignorance that obscured my senses ; as if a man were to see an elephant marching before him, yet to doubt what animal it could be, till he discovered by the traces of his large feet that it was an elephant.

Caf.

Caf. Cease, my son, to charge thyself with an offence committed ignorantly, and, therefore, innocently.—Now hear me—

Dushm. I am devoutly attentive:

Caf. When the nymph Ménacà led Sacontalá from the place where thy desertion of her had afflicted her soul, she brought her to the palace of Aditi; and I knew, by the power of meditation on the Supreme Being, that thy forgetfulness of thy pious and lawful consort had proceeded from the imprecation of Durváśas, and that the charm would terminate on the sight of thy ring.

Dushm. [*Aside.*] My name then is cleared from infamy.

Sac. Happy am I that the son of my lord, who now recognises me, denied me through ignorance, and not with real aversion.—The terrible imprecation was heard, I suppose, when my mind was intent on a different object, by my two beloved friends, who, with extreme affection, concealed it from me to spare my feelings, but advised me at parting to show the ring if my husband should have forgotten me.

Caf. [*Turning to Sacontalá.*] Thou art apprised, my daughter, of the whole truth, and must no longer resent the behaviour of thy lord.—He rejected thee when his memory was impaired by the force of a charm; and when the gloom was dispelled, his conjugal affection revived; as a mirror whose surface has been sullied, reflects no image; but exhibits perfect resemblances when its polish has been restored.

Dushm. Such, indeed, was my situation.

Caf. My son Dushmanta, hast thou embraced thy child by Sacontalá, on whose birth I myself performed the ceremonies prescribed in the Véda?

Dushm. Holy Maríchi, he is the glory of my house.

Caf. Know too, that his heroick virtue will raise him to a dominion extended from sea to sea: before he has passed the ocean of mortal life, he shall rule, unequalled in combat, this earth with seven peninsulas; and, as he now is called Servademana, because he tames even in childhood the fiercest animals, so, in his riper years, he shall acquire the name of Bhereta, because he shall sustain and nourish the world.

Dushm.

Dushm. A boy educated by the son of Maríchi, must attain the summit of greatness.

Adi. Now let Sacontalá, who is restored to happiness, convey intelligence to Canna of all these events: her mother Ménacà is in my family, and knows all that has passed.

Sac. The goddess proposes what I most ardently wish.

Caf. By the force of true piety the whole scene will be present to the mind of Canna.

Dushm. The devout sage must be still excessively indignant at my frantick behaviour.

Caf. [*Meditating.*] Then let him hear from me the delightful news, that his foster-child has been tenderly received by her husband, and that both are happy with the little warrior who sprang from them.—Hola! who is in waiting?

A Pupil enters.

Pup. Great being, I am here.

Caf. Hasten, Gólava, through the light air, and in my name inform the venerable Canna, that Sacontalá has a charming son by Dushmanta, whose affection for her was restored with his remembrance, on the termination of the spell raised by the angry Durvása.

Pup. As the divinity commands. [*He goes out.*]

Caf. My son, reascend the car of Indra with thy consort and child, and return happy to thy imperial seat.

Dushm. Be it as Maríchi ordains.

Caf. Henceforth may the god of the atmosphere with copious rain give abundance to thy affectionate subjects; and mayst thou with frequent sacrifices maintain the Thunderer's friendship! By numberless interchanges of good offices between you both, may benefits reciprocally be conferred on the inhabitants of the two worlds!

Dushm. Powerful being, I will be studious, as far as I am able, to attain that felicity.

Caf.

Caf. What other favours can I bestow on thee?

Dushm. Can any favours exceed those already bestowed?—Let every king apply himself to the attainment of happiness for his people; let Serefwati, the goddess of liberal arts, be adored by all readers of the Vêda; and may Siva, with an azure neck and red locks, eternally potent and self-existing, avert from me the pain of another birth in this perishable world, the seat of crimes and of punishment. [*All go out.*

A HYMN

A HYMN
TO
C A M D E O.

THE ARGUMENT.

THE *Hindú* God, to whom the following poem is addressed, appears evidently the same with the *Grecian* EROS and the *Roman* CUPIDO; but the *Indian* description of his person and arms, his family, attendants, and attributes, has new and peculiar beauties.

According to the mythology of *Hindustán*, he was the son of MAYA, or the general *attracting* power, and married to RETTY or *Affection*; and his bosom friend is BESSENT or *Spring*: he is represented as a beautiful youth, sometimes conversing with his mother and consort in the midst of his gardens and temples; sometimes riding by moonlight on a parrot or lory, and attended by dancing-girls or nymphs, the foremost of whom bears his colours, which are a *fish* on a red ground. His favourite place of resort is a large tract of country round AGRA, and principally the plains of *Matra*, where KRISHEN also and the nine GOPIA, who are clearly the *Apollo* and *Muses* of the *Greeks*, usually spend the night with musick and dance. His bow of sugar-cane or flowers, with a string of bees, and his *five* arrows, each pointed with an *Indian* blossom of a heating quality, are allegories equally new and beautiful. He has at least twenty-three names, most of which are introduced in the hymn: that of *Cám* or *Cáma* signifies *desire*, a sense which it also bears in ancient and modern *Persian*; and it is possible, that the words *Dipuc* and *Cupid*, which have the same signification, may have the same origin; since we know, that the old *Hetruscans*, from whom great part of the *Roman* language and religion was derived, and whose system had a near affinity with that of the *Persians* and *Indians*, used to write their lines alternately forwards and backwards, as furrows are made by the plough; and, though the two last letters of *Cupido* may be only the grammatical termination, as in *libido* and *capedo*, yet the primary root of *cupio* is contained in the three first letters. The seventh stanza alludes to the bold attempt of this deity to wound the great God *Mahadeo*, for which he was punished by a flame consuming his corporeal nature and reducing him to a mental essence; and hence his chief dominion is over the *minds* of mortals, or such deities as he is permitted to subdue.

THE HYMN.

WHAT potent God from *Agra's* orient bow'rs
Floats thro' the lucid air, whilst living flow'rs
With funny twine the vocal arbours wreath,
And gales enamour'd heav'nly fragrance breathe?
Hail, pow'r unknown! for at thy beck
Vales and groves their bosoms deck,
And ev'ry laughing blossom dresses
With gems of dew his musky tresses.
I feel, I feel thy genial flame divine,
And hallow thee and kiss thy shrine.

"Knowst thou not me?" Celestial sounds I hear!
"Knowst thou not me?" Ah, spare a mortal ear!
"Behold"—My swimming eyes entranc'd I raise,
But oh! they shrink before th' excessive blaze.
Yes, son of *Maya*, yes, I know
Thy bloomy shafts and cany bow,
Cheeks with youthful glory beaming,
Locks in braids ethereal streaming,
Thy scaly standard, thy mysterious arms,
And all thy pains and all thy charms.

God of each lovely sight, each lovely sound,
Soul-kindling, world-inflaming, star-ycrown'd,
Eternal *Cáma*! Or doth *Smara* bright,
Or proud *Ananga* give thee more delight?

Whate'er

Whate'er thy feat, whate'er thy name,
Seas, earth, and air, thy reign proclaim :
Wreathy smiles and roseate pleasures
Are thy richest, sweetest treasures.
All animals to thee their tribute bring,
And hail thee universal king.

Thy comfort mild, *Affection* ever true,
Graces thy side, her vest of glowing hue,
And in her train twelve blooming girls advance,
Touch golden strings and knit the mirthful dance.
Thy dreaded implements they bear,
And wave them in the scented air,
Each with pearls her neck adorning,
Brighter than the tears of morning.
Thy crimson ensign, which before them flies,
Decks with new stars the sapphire skies.

God of the flow'ry shafts and flow'ry bow,
Delight of all above and all below !
Thy lov'd companion, constant from his birth,
In heav'n clep'd *Bessent*, and gay *Spring* on earth,
Weaves thy green robe and flaunting bow'rs,
And from thy clouds draws balmy show'rs,
He with fresh arrows fills thy quiver,
(Sweet the gift and sweet the giver !)
And bids the many-plumed warbling throng
Burst the pent blossoms with their song.

He bends the luscious cane, and twists the string
With bees, how sweet ! but ah, how keen their sting !
He with five flow'rets tips thy ruthless darts,
Which thro' five senses pierce enraptur'd hearts :

Strong

Strong *Chumpa*, rich in od'rous gold,
 Warm *Amer*, nurs'd in heav'nly mould,
 Dry *Nagkeser* in silver smiling,
 Hot *Kiticum* our sense beguiling,
 And last, to kindle fierce the scorching flame,
Loveshaft, which Gods bright *Bela* name.

Can men resist thy pow'r, when *Krishen* yields,
Krishen, who still in *Matra*'s holy fields
 Tunes harps immortal, and to strains divine
 Dances by moonlight with the *Gopia* nine?
 But, when thy daring arm untam'd
 At *Mabadeo* a loveshaft aim'd,
 Heav'n shook, and, smit with stony wonder,
 Told his deep dread in bursts of thunder,
 Whilst on thy beauteous limbs an azure fire
 Blaz'd forth, which never must expire.

O thou for ages born, yet ever young,
 For ages may thy *Bramin*'s lay be sung!
 And, when thy lory spreads his em'rald wings
 To waft thee high above the tow'rs of kings,
 Whilst o'er thy throne the moon's pale light
 Pours her soft radiance thro' the night,
 And to each floating cloud discovers
 The haunts of blest or joyless lovers,
 Thy mildest influence to thy bard impart,
 To warm, but not consume, his heart.

TWO HYMNS

TO

P R A C R I T I.

THE ARGUMENT.

IN all our conversations with learned *Hindus* we find them enthusiastick admirers of Poetry, which they consider as a divine art, that had been practised for numberless ages in heaven, before it was revealed on earth by VA'LMÍ'C, whose great Heroick Poem is fortunately preserved: the *Bráhmans* of course prefer that poetry, which they believe to have been *actually inspired*; while the *Vaidyas*, who are in general perfect grammarians and good poets, but are not suffered to read any of the *sacred* writings except the *Ayurvéda*, or *Body of Medical Tracts*, speak with rapture of their innumerable *popular* poems, *Epick*, *Lyrick*, and *Dramatick*, which were composed by men not literally inspired, but called, metaphorically, the sons of SERESWATI, or MINERVA; among whom the *Pandits* of all sects, nations, and degrees are unanimous in giving the prize of glory to CA'LI'DA'SA, who flourished in the court of VICRAMA'DITYA, fifty-seven years before Christ. He wrote several *Dramas*, one of which, entitled *SACONTALA'*, is in my possession; and the subject of it appears to be as interesting as the composition is beautiful: besides these he published the *Mégba-dúta*, or cloud-messenger, and the *Nalódaya*, or rise of NALA, both elegant love-tales; the *Raghuvanśa*, an Heroick Poem; and the *Cumára Sambhava*, or birth of CUMA'RA, which supplied me with materials for the first of the following Odes.

Odes. I have not indeed yet read it ; since it could not be correctly copied for me during the short interval, in which it is in my power to amuse myself with literature ; but I have heard the story told, both in *Sanſcrit* and *Perſian*, by many *Pandits*, who had no communication with each other ; and their outline of it coincided ſo perfectly, that I am convinced of its correctness : that outline is here filled up, and exhibited in a lyric form, partly in the *Indian*, partly in the *Grecian*, taſte ; and great will be my pleaſure, when I can again find time for ſuch amusements, in reading the whole poem of C'ALI'DA'SA, and in comparing my deſcriptions with the original compoſition. To anticipate the ſtory in a preface would be to deſtroy the intereſt, that may be taken in the poem ; a diſadvantage attending all prefatory arguments, of which thoſe prefixed to the ſeveral books of TASSO, and to the Dramas of METASTASIO, are obvious inſtances ; but, that any intereſt may be taken in the two hymns addreſſed to PRACRITI, under different names, it is neceſſary to render them intelligible by a previous explanation of the mythological alluſions, which could not but occur in them.

ISWARA, or I'SA, and I'SA'NI or I'SI', are unqueſtionably the OSIRIS and ISIS of Egypt ; for, though neither a reſemblance of names, nor a ſimilarity of character, would ſeparately prove the identity of *Indian* and *Egyptian* Deities, yet, when they both concur, with the addition of numberleſs corroborating circumſtances, they form a proof little ſhort of demonſtration. The *female* divinity, in the mythological ſyſtems of the Eaſt, repreſents the active *power* of the *male* ; and that I'SI' means *active nature*, appears evidently from the word *s'âsta*, which is derived from *s'asti*, or *power*, and applied to thoſe *Hindus*, who direct their adoration principally to that goddeſs : this feminine character of PRACRITI, or *created nature*, is ſo familiar in moſt languages, and even in our own, that the graveſt *Engliſh* writers, on the moſt ſerious ſubjects of religion and philoſophy, ſpeak of *her* operations, as if *ſhe* were actually an animated being ; but ſuch perſonifications are eaſily miſconceived by the multitude, and have a ſtrong tendency to polytheiſm. The principal operations of nature are, not the abſolute annihilation and new creation of what we call *material ſubſtances*, but the temporary extinction and reproduction, or, rather in one word, the *transmutation*, of *forms* ; whence the epithet *Polymorphos* is aptly given to nature by *European*

ropean philosophers : hence ISWARA, SIVA, HARA (for those are his names and near a thousand more), united with I'SI', represent the *secondary causes*, whatever they may be, of natural phenomena, and principally those of temporary *destruction* and *regeneration* ; but the *Indian* Isis appears in a variety of characters, especially in those of PA'RVATI', CA'LI', DURGA', and BHA'VANI', which bear a strong resemblance to the JUNO of HOMER, to HECATE, to the armed PALLAS, and to the *Lucretian* VENUS.

The name PA'RVATI' took its rise from a wild poetical fiction. HIMA'LAYA, or the *Mansion of Snow*, is the title given by the *Hindus* to that vast chain of mountains, which limits *India* to the north, and embraces it with its eastern and western arms, both extending to the ocean ; the former of those arms is called *Cbandraséc'hara*, or the *Moon's Rock* ; and the second, which reaches as far west as the mouths of the *Indus*, was named by the ancients *Montes Parveti*. These hills are held sacred by the *Indians*, who suppose them to be the terrestrial haunt of the God I'SWARA. The mountain *Himálaya*, being personified, is represented as a powerful monarch, whose wife was ME'NA' : their daughter is named PA'RVATI', or *Mountain-born*, and DURGA', or *of difficult access* ; but the *Hindus* believe her to have been married to SIVA in a pre-existent state, when she bore the name of SATI'. The daughter of HIMA'LAYA had two sons ; GANE's'A, or the *Lord of Spirits*, adored as the wisest of Deities, and always invoked at the beginning of every literary work, and CUMA'RA, SCANDA, or CA'RTICE'YA, commander of the celestial armies.

The pleasing fiction of CA'MA, the *Indian* CUPID, and his friend VASANTA, or the Spring, has been the subject of another poem ; and here it must be remembered, that the God of Love is named also SMARA, CANDARPA, and ANANGA. One of his arrows is called *Mellicà*, the *Nyctanthes* of our Botanists, who very unadvisedly reject the vernacular names of most *Asiatick* plants : it is beautifully introduced by CA'LIDA'SA into this lively couplet :

*Mellicámuculè bhâti gunjanmattamadbuvratah,
Prayânè panchaóánasya sanc'hamápúrayanniva.*

• The

'The intoxicated bee shines and murmurs in the fresh-blown *Mellicà*, like
'him who gives breath to a white conch in the procession of the God with five
'arrows.'

A critick, to whom CA'LI'DA'SA repeated this verse, observed, that the comparison was not exact: since the bee sits on the blossom itself, and does not murmur at the end of the tube, like him who blows a conch: 'I was
'aware of that, said the poet, and, therefore, described the bee as *intoxicated*: a drunken musician would blow the shell at the wrong end:' There was more than wit in this answer: it was a just rebuke to a dull critick; for poetry delights in *general* images, and is so far from being a perfect imitation, that a scrupulous exactness of descriptions and similes, by leaving nothing for the imagination to supply, never fails to diminish or destroy the pleasure of every reader, who has an imagination to be gratified.

It may here be observed, that *Nymphæa*, not *Lotos*, is the *generick* name in *Europe* of the flower consecrated to *ISIS*: the *Persians* know by the name of *Nilúfer* that species of it, which the Botanists ridiculously call *Nelumbo*, and which is remarkable for its curious *pericarpium*, where each of the seeds contains in miniature the leaves of a perfect vegetable. The *lotos* of HOMER was probably the *sugar-cane*, and that of LINNÆUS is a papilionaceous plant; but he gives the same name to another species of the *Nymphæa*; and the word is so constantly applied among us in *India* to the *Nilúfer*, that any other would be hardly intelligible: the *blue* *lotos* grows in *Cashmír* and in *Persia*, but not in *Bengal*, where we see only the *red* and the *white*; and hence occasion is taken to feign, that the *lotos* of *Hindustan* was dyed crimson by the blood of SIVA.

CUVE'RA, mentioned in the fourteenth stanza, is the God of Wealth, supposed to reside in a magnificent city, called *Alacà*; and VRIHASPATI, or the Genius of the planet *Jupiter*, is the preceptor of the Gods in *Swerga* or the firmament: he is usually represented as their orator, when any message is carried from them to one of the three superior Deities.

The

The lamentations of RETI', the wife of CAMA, fill a whole book in the *Sanscrit* poem, as I am informed by my teacher, a learned *Vaidya*; who is restrained only from reading the book, which contains a description of the nuptials; for the ceremonies of a marriage where BRAHMA' himself officiated as the father of the bridegroom, are too holy to be known by any but *Bráhmans*.

The achievements of DURGA' in her martial character as the patroness of *Virtue*, and her battle with a demon in the shape of a buffalo, are the subject of many episodes in the *Puránas* and *Cávyas*, or *sacred* and *popular* poems; but a full account of them would have destroyed the unity of the Ode, and they are barely alluded to in the last stanza.

It seemed proper to change the measure, when the goddess was to be addressed as BHAVA'NI, or the *power of fecundity*; but such a change, though very common in *Sanscrit*, has its inconveniences in *European* poetry: a distinct Hymn is therefore appropriated to her in that capacity; for the explanation of which we need only premise, that LACSHMI' is the Goddess of *Abundance*; that the *Cétaca* is a fragrant and beautiful plant of the *Diacian* kind, known to Botanists by the name of *Pandanus*; and that the *Dúrgótjáva*, or great festival of BHAVA'NI at the close of the rains, ends in throwing the image of the goddess into the *Ganges* or other sacred water.

I am not conscious of having left unexplained any difficult allusion in the two poems; and have only to add (lest *European* critics should consider a few of the images as inapplicable to *Indian* manners), that the ideas of *snow* and *ice* are familiar to the *Hindus*; that the mountains of *Himálaya* may be clearly discerned from a part of *Bengal*; that the *Grecian* HÆMUS is the *Sanscrit* word *baimas*, meaning *snowy*; and that funeral *urns* may be seen perpetually on the banks of the river.

The two Hymns are neither translations from any other poems, nor imitations of any; and have nothing of PINDAR in them except the measures, which are nearly the same, syllable for syllable, with those of the first and

second *Nemean* Odes: more musical stanzas might perhaps have been formed; but, in every art, variety and novelty are considerable sources of pleasure. The style and manner of PINDAR have been greatly mistaken; and, that a distinct idea of them may be conceived by such, as have not access to that inimitable poet in his own language, I cannot refrain from subjoining the first *Nemean* Ode*, not only in the same measure as nearly as possible, but almost word for word, with the original; those epithets and phrases only being necessarily added, which are printed in *Italick* letters.

* See below, page 393.

THE HYMN

TO

D U R G A'.

I. 1.

FROM thee begins the solemn air,
Ador'd GANE'SA'; next, thy fire we praise
(Him, from whose red clust'ring hair
A new-born crescent sheds propitious rays,
Fair as GANGA's curling foam),
Dread IS'WARA; who lov'd o'er awful mountains,
Rapt in prescience deep, to roam,
But chiefly those, whence holy rivers gush,
Bright from their secret fountains,
And o'er the realms of BRAHMA' rush.

I. 2.

Rock above rock they ride sublime,
And lose their summits in blue fields of day,
Fashion'd first, when rolling time,
Vast infant, in his golden cradle lay,
Bidding endless ages run
And wreath their giant heads in snows eternal
Gilt by each revolving sun;
Though neither morning beam, nor noontide glare,
In wintry sign or vernal,
Their adamant strength impair;

I. 3.

I. 3.

Nor e'en the fiercest summer heat
 Could thrill the palace, where their Monarch reign'd
 On his frost-impearled feat,
 (Such height had unremitted virtue gain'd !)
 HIMA'LAYA, to whom a lovely child,
 Sweet PARVATI', fage ME'NA bore,
 Who now, in earliest bloom, saw heav'n adore
 Her charms ; earth languish, till she smil'd.

II. 1.

But she to love no tribute paid ;
 Great ISWARA her pious cares engag'd :
 Him, who Gods and fiends dismay'd,
 She sooth'd with off'rings meek, when most he rag'd.
 On a morn, when, edg'd with light,
 The lake-born flow'rs their sapphire cups expanded
 Laughing at the scatter'd night,
 A vale remote and silent pool she fought,
 Smooth-footed, lotos-handed,
 And braids of sacred blossoms wrought ;

II. 2.

Not for her neck, which, unadorn'd,
 Bade envying antelopes their beauties hide :
 Art she knew not, or she scorn'd ;
 Nor had her language e'en a name for pride.
 To the God, who, fix'd in thought,
 Sat in a crystal cave new worlds designing,
 Softly sweet her gift she brought,
 And spread the garland o'er his shoulders broad,
 Where serpents huge lay twining,
 Whose hiss the round creation aw'd.

II. 3.

He view'd, half-smiling, half-severe,
 The prostrate maid—That moment through the rocks
 He, who decks the purple year,
 VASANTA, vain of odorif'rous locks,
 With CA'MA, hors'd on infant breezes flew :
 (Who knows not CA'MA, nature's king ?)
 VASANTA barb'd the shaft and fix'd the string ;
 The living bow CANDARPA drew.

III. 1.

Dire sacrilege ! The chosen reed,
 That SMARA pointed with transcendent art,
 Glanc'd with unimagi'd speed,
 And ting'd its blooming barb in SIVA's heart :
 Glorious flow'r, in heav'n proclaim'd
 Rich *Mellicà*, with balmy breath delicious,
 And on earth *Nyctanthes* nam'd !
 Some drops divine, that o'er the lotos blue
 Trickled in rills auspicious,
 Still mark it with a crimson hue.

III. 2.

Soon clos'd the wound its hallow'd lips ;
 But nature felt the pain : heav'n's blazing eye
 Sank absorb'd in sad eclipse,
 And meteors rare betray'd the trembling sky ;
 When a flame, to which compar'd
 The keenest lightnings were but idle flashes,
 From that orb all-piercing glar'd,
 Which in the front of wrathful HARA rolls,
 And soon to silver ashes
 Reduc'd th'inflamer of our souls.

III. 3.

VASANT, for thee a milder doom,
 Accomplice rash, a thund'ring voice decreed :
 ' With'ring live in joyless gloom,
 ' While ten gay signs the dancing seasons lead.
 ' Thy flow'rs, perennial once, now annual made,
 The Fish and Ram shall still adorn ;
 ' But, when the Bull has rear'd his golden horn,
 ' Shall, like yon idling rainbow, fade.'

IV. 1.

The thunder ceas'd ; the day return'd ;
 But SIVA from terrestrial haunts had fled :
 Smit with rapt'rous love he burn'd,
 And sigh'd on gemm'd *Cailāsa's* viewless head.
 Lonely down the mountain steep,
 With flutt'ring heart, soft PARVATI descended ;
 Nor in drops of nectar'd sleep
 Drank solace through the night, but lay alarm'd,
 Left her mean gifts offended
 The God her pow'rful beauty charm'd.

IV. 2.

All arts her forr'wing damsels tried,
 Her brow, where wrinkled anguish low'r'd, to smoothe,
 And, her troubled soul to soothe,
 Sagacious ME'NA' mild reproof applied ;
 But nor art nor counsel sage,
 Nor e'en her sacred parent's tender chiding,
 Could her only pain assuage :
 The mountain drear she sought, in mantling shade
 Her tears and transports hiding,
 And oft to her adorer pray'd.

IV. 3.

There on a crag, whose icy rift
 Hurl'd night and horror o'er the pool profound,
 That with madding eddy swift
 Revengeful bark'd his rugged base around,
 The beauteous hermit sat ; but soon perceiv'd
 A *Bráhmén* old before her stand,
 His rude staff quiv'ring in his wither'd hand,
 Who, falt'ring, ask'd for whom she griev'd.

V. 1.

' What graceful youth with accents mild,
 ' Eyes like twin stars, and lips like early morn,
 ' Has thy pensive heart beguil'd?'
 " No mortal youth," she said with modest scorn,
 " E'er beguil'd my guiltless heart :
 " Him have I lost, who to these mountains hoary
 " Bloom celestial could impart.
 " Thee I salute, thee ven'rate, thee deplore,
 " Dread SIVA, source of glory,
 " Which on these rocks must gleam no more!"

V. 2.

' Rare object of a damsel's love,'
 The wizard bold replied, ' who, rude and wild,
 ' Leaves eternal bliss above,
 ' And roves o'er wastes where nature never smil'd,
 ' Mounted on his milkwhite bull!
 ' Seek INDRA with ærial bow victorious,
 ' Who from vases ever full
 ' Quaffs love and nectar ; seek the festive hall,
 ' Rich caves, and mansion glorious
 ' Of young CUVE'RA, lov'd by all ;

V. 3.

V. 3.

' But spurn that fullen wayward God,
 ' That three-ey'd monster, hideous, fierce, untam'd,
 ' Unattir'd, ill-girt, unshod——
 " Such fell impiety, the nymph exclaim'd,
 " Who speaks, must agonize ; who hears, must die ;
 " Nor can this vital frame sustain
 " The pois'nous taint, that runs from vein to vein ;
 " Death may atone the blasphemy."

VI. 1.

She spoke, and o'er the rifted rocks
 Her lovely form with pious phrensy threw ;
 But beneath her floating locks
 And waving robes a thousand breezes flew,
 Knitting close their filky plumes,
 And in mid-air a downy pillow spreading ;
 Till, in clouds of rich perfumes
 Embalmed, they bore her to a mystick wood ;
 Where streams of glory shedding,
 The well-feign'd *Brábmén*, *SIVA* flood.

VI. 2.

The rest, my song conceal :
 Unhallow'd ears the sacrilege might rue.
 Gods alone to Gods reveal
 In what stupendous notes th' immortals woo.
 Straight the fons of light prepar'd
 The nuptial feast, heav'n's opal gates unfolding,
 Which th' empyreal army shar'd ;
 And sage *HIMA'LAYA* shed blisful tears
 With aged eyes beholding
 His daughter empress of the spheres.

VI. 3.

Whilst ev'ry lip with nectar glow'd,
 The bridegroom blithe his transformation told :
 Round the mirthful goblets flow'd,
 And laughter free o'er plains of ether roll'd :
 ' Thee too, like VISHNU, said the blushing queen,
 ' Soft MA'YA', guileful maid, attends ;
 ' But in delight supreme the phantasm ends ;
 ' Love crowns the visionary scene.'

VII. 1.

Then rose VRIHASPATI, who reigns
 Beyond red MANGALA's terrifick sphere,
 Wand'ring o'er cerulean plains :
 His periods eloquent heav'n loves to hear
 Soft as dew on waking flow'rs.
 He told, how TA'RACA with snaky legions,
 Envious of supernal pow'rs,
 Had menac'd long old ME'RU's golden head,
 And INDRA's beaming regions
 With desolation wild had spread :

VII. 2.

How, when the Gods to BRAHMA' flew
 In routed squadrons, and his help implor'd ;
 " Sons, he said, from vengeance due
 " The fiend must wield secure his fiery sword
 " (Thus th' unerring Will ordains),
 " Till from the Great Destroyer's pure embraces,
 " Knit in love's mysterious chains
 " With her, who, daughter to the mountain-king,
 " Yon snowy mansion graces,
 " CUMA'RA, warrior-child, shall spring ;

VII. 3.

" Who, bright in arms of heav'nly proof,
 " His crest a blazing star, his diamond mail
 " Colour'd in the rainbow's woof,
 " The rash invaders fiercely shall assail,
 " And, on a stately peacock borne, shall rush
 " Against the dragons of the deep;
 " Nor shall his thund'ring mace insatiate sleep,
 " Till their infernal chief it crush."

VIII. 1.

' The splendid host with solemn state
 ' (Still spoke th' ethereal orator unblam'd)
 ' Reason'd high in long debate;
 ' Till, through my counsel provident, they claim'd
 ' Hapless CA'MA's potent aid:
 ' At INDRA's wish appear'd the foul's inflamer,
 ' And, in vernal arms array'd,
 ' Engag'd (ah, thoughtless!) in the bold emprise
 ' To tame wide nature's tamer,
 ' And soften Him, who shakes the skies.

VIII. 2.

' See now the God, whom all ador'd,
 ' An ashy heap, the jest of ev'ry gale!
 ' Loss by heav'n and earth deplor'd!
 ' For, love extinguish'd, earth and heav'n must fail.
 ' Mark, how RETI' bears his urn,
 ' And tow'rd her widow'd pile with piercing ditty
 ' Points the flames—ah, see it burn!
 ' How ill the fun'ral with the feast agrees!
 ' Come, love's pale sister, pity;
 ' Come, and the lover's wrath appease.'

VIII. 3.

Tumultuous passions, whilst he spoke,
 In heav'nly bosoms mix'd their bursting fire,
 Scorning frigid wisdom's yoke,
 Disdain, revenge, devotion, hope, desire :
 Then grief prevail'd ; but pity won the prize.
 Not SIVA could the charm resist :
 ' Rise, holy love ! ' he said ; and kiss'd
 The pearls, that gush'd from DURGA's eyes.

IX. 1.

That instant through the blest abode,
 His youthful charms renew'd, ANANGA came :
 High on em'rald plumes he rode
 With RETI' brighten'd by th' eluded flame ;
 Nor could young VASANTA mourn
 (Officious friend !) his darling lord attending,
 Though of annual beauty thorn :
 ' Love-shafts enow one season shall supply,
 ' He menac'd unoffending,
 ' To rule the rulers of the sky.'

IX. 2.

With shouts the boundless mansion rang ;
 And, in sublime accord, the radiant quire
 Strains of bridal rapture sang
 With glowing conquest join'd and martial ire :
 ' Spring to life, triumphant son,
 ' Hell's future dread, and heav'n's eternal wonder !
 ' Helm and flaming habergeon
 ' For thee, behold, immortal artists weave,
 ' And edge with keen blue thunder
 ' The blade, that shall th' oppressor cleave.'

IX.

IX. 3.

O DURGA', thou hast deign'd to shield
Man's feeble virtue with celestial might,
Gliding from yon jasper field,
And, on a lion borne, hast brav'd the fight;
For, when the demon Vice thy realms defied,
And arm'd with death each arched horn,
Thy golden lance, O goddess mountain-born,
Touch but the pest—He roar'd and died.

THE HYMN
TO
B H A V A ' N I .

WHEN time was drown'd in sacred sleep,
And raven darkness brooded o'er the deep,
Reposing on primeval pillows
Of tossing billows,
The forms of animated nature lay ;
Till o'er the wild abyfs, where love
Sat like a nestling dove,
From heav'n's dun concave shot a golden ray.

Still brighter and more bright it stream'd,
Then, like a thousand suns, resistless gleam'd ;
Whilst on the placid waters blooming,
The sky perfuming,
An op'ning Lotos rose, and smiling spread
His azure skirts and vase of gold,
While o'er his foliage roll'd
Drops, that impearl BHAVA'NI's orient bed.

Mother of Gods, rich nature's queen,
Thy genial fire emblaz'd the bursting scene ;
For, on th' expanded blossom sitting,
With sun-beams knitting
That mystick veil for ever unremov'd,
Thou badst the softly kindling flame
Pervade this peopled frame,
And smiles, with blushes ting'd, the work approv'd.

Goddeſs,

Goddeſs, around thy radiant throne
The ſcaly ſhoals in ſpangled veſture ſhone,
Some ſlowly through green waves advancing,
Some ſwiftly glancing,
As each thy mild myſterious pow'r impell'd:
E'en orcs and river-dragons felt
Their iron boſoms melt
With ſcorching heat; for love the mightieſt quell'd.

But ſtraight aſcending vapours rare
O'er-canopied thy ſeat with lucid air,
While, through young INDRA's new dominions
Unnumber'd pinions
Mix'd with thy beams a thouſand varying dyes,
Of birds or insects, who purſued
Their flying loves, or woo'd
Them yielding, and with muſick fill'd the ſkies.

And now bedeck'd with ſparkling iſles
Like riſing ſtars, the watry deſert ſmiles;
Smooth plains by waving foreſts bounded,
With hillocks rounded,
Send forth a ſhaggy brood, who, friſking light
In mingled flocks or faithful pairs,
Impart their tender cares:
All animals to love their kind invite.

Nor they alone: thoſe vivid gems,
That dance and glitter on their leafy ſtems,
Thy voice inſpires, thy bounty dreſſes,
Thy rapture bleſſes,

From

From yon tall palm, who, like a funborn king,
His proud tiara spreads elate,
To those, who throng his gate,
Where purple chieftains vernal tribute bring.

A gale so sweet o'er GANGA' breathes,
That in soft smiles her graceful cheek she wreathes.
Mark, where her argent brow she raises,
And blushing gazes
On yon fresh *Cétaca*, whose am'rous flow'r
Throws fragrance from his flaunting hair,
While with his blooming fair
He blends perfume, and multiplies the bow'r.

Thus, in one vast eternal gyre,
Compact or fluid shapes, instinct with fire,
Lead, as they dance, this gay creation,
Whose mild gradation
Of melting tints illudes the visual ray :
Dense earth in springing herbage lives,
Thence life and nurture gives
To sentient forms, that sink again to clay.

Ye maids and youths on fruitful plains,
Where LACSHMI' revels and BHAVA'NI' reigns,
Oh, haste ! oh, bring your flow'ry treasures,
To rapid measures
Tripping at eve these hallow'd banks along :
The pow'r, in yon dim shrines ador'd,
To primal waves restor'd,
With many a smiling race shall bless your song.

From your tall palm, who, like a diamond king,
 His proud star spreads clear,
 To those, who through his gate,
 Where purple chieftains vernal tribute bring.

A gale to sweep o'er Ganga's breezes,
 That in soft smiles her graceful cheek the wrinkles
 Mark, where her argon brow the smiles
 And dimpling gaze

On your flesh Ganga, who, and now how,
 Throws fragrance from his flowing hair,
 While with his blooming fair
 The blanda perfume, and multiplies the bow.

Thus in one vast eternal eye,
 I caught on land, the sea, the sky,
 And as they danced in my vision,
 Whole mind gradation

Of meaning thus blends the world's joy,
 And even in this world of pain,
 I saw the end of all things,
 The perfect form, that first of all to clay.

Ye gods and goddesses on earth and sky,
 Whose power is words and deeds and signs,
 Ye lords of things, who live in nature,
 Ourselves included

Ye gods and goddesses on earth and sky,
 Whose power is words and deeds and signs,
 Ye lords of things, who live in nature,
 Ourselves included

A HYMN

TO

I N D R A.

THE ARGUMENT.

SO many allusions to *Hindu* Mythology occur in the following Ode, that it would be scarce intelligible without an explanatory introduction, which, on every account and on all occasions, appears preferable to notes in the margin.

A distinct idea of the God, whom the poem celebrates, may be collected from a passage in the ninth section of the *Gîtâ*, where the sudden change of measure has an effect similar to that of the finest modulation :

tè punyamâśâdya suréndra lócam
asñanti divyân dividévabhógân,
tè tam bhuçtwà swergalócam víśâlam
cśhínè punyè mertyalócam víśanti

“ These, having through virtue reached the mansion of the king of *Sura's*,
 “ feast on the exquisite heavenly food of the Gods : they, who have enjoyed
 “ this lofty region of *SWERGA*, but whose virtue is exhausted, revisit the habi-
 “ tation of mortals.”

INDRA, therefore, or the *King* of Immortals, corresponds with one of the ancient *Jupiters* (for several of that name were worshipped in *Europe*), and particularly with *Jupiter* the *Conduçtor*, whose attributes are so nobly described by the *Platonick* Philosophers : one of his numerous titles is *Dyupeti*, or, in the nominative case before certain letters, *Dyupetir* ; which means the *Lord of Heaven*, and seems a more probable origin of the *Heiruscan* word than *Juvans Pater* ; as *Diespiter* was, probably, not the *Father*, but the *Lord, of Day*. He may be considered as the *JOVE* of *ENNIUS* in his memorable line :

‘ Aspice hoc sublime candens, quem invocant omnes *Jovem*,’

where the poet clearly means the firmament, of which INDRA is the personification. He is the God of thunder and the five elements, with inferior Genii under his command; and is conceived to govern the Eastern quarter of the world, but to preside, like the *Genius* or *Agathodæmon* of the Ancients, over the celestial bands, which are stationed on the summit of ME'RU, or the North-pole, where he solaces the Gods with nectar and heavenly musick: hence, perhaps, the *Hindus*, who give evidence, and the magistrates, who hear it, are directed to stand fronting the East or the North.

This imaginary mount is here feigned to have been seen in a vision at *Vārānāsī*, very improperly called *Banāris*, which takes its name from two rivulets, that embrace the city; and the bard, who was favoured with the sight, is supposed to have been VYA'SA, surnamed *Dwaipáyana*, or *Dwelling in an Island*; who, if he really composed the *Gītā*, makes very flattering mention of himself in the tenth chapter. The plant *Latā*, which he describes weaving a net round the mountain *Mandara*, is transported by a poetical liberty to *Suméru*, which the great author of the *Mahabbárat* has richly painted in four beautiful couplets: it is the generick name for a *creeper*, though represented here as a species, of which many elegant varieties are found in *Asia*.

The Genii named *Cinnara's* are the male dancers in *Swerga*, or the Heaven of INDRA; and the *Apsarà's* are his dancing-girls, answering to the *fairies* of the PERSIANS, and to the damsels called in the KORAN *bhūru'lūyūn*, or *with antelopes' eyes*. For the story of *Chitrarat'ha*, the chief musician of the Indian paradise, whose *painted car* was burned by ARJUN, and for that of the *Chaturdesaretna*, or *fourteen gems*, as they are called, which were produced by churning the ocean, the reader must be referred to Mr. WILKINS's learned annotations on his accurate version of the *Bhagavadgītā*. The fable of the pomegranate-flower is borrowed from the popular mythology of *Népāl* and *Tibet*.

In this poem the same form of stanza is repeated with *variations*, on a principle entirely new in modern lyric poetry, which on some future occasion may be fully explained.

THE

THE HYMN.

BUT ah ! what glories yon blue vault emblaze ?
What living meteors from the zenith stream ?
Or hath a rapt'rous dream
Perplex'd the isle-born bard in fiction's maze ?
He wakes ; he hears ; he views no fancied rays.
'Tis INDRA mounted on the sun's bright beam ;
And round him revels his empyreal train :
How rich their tints ! how sweet their strain !

Like shooting stars around his regal feat
A veil of many-colour'd light they weave,
That eyes unholy would of sense bereave :
Their sparkling hands and lightly-tripping feet
Tir'd gales and panting clouds behind them leave.
With love of song and sacred beauty smit
The mystick dance they knit ;
Pursuing, circling, whirling, twining, leading,
Now chafing, now receding ;
Till the gay pageant from the sky descends
On charm'd *Suméru*, who with homage bends.

Hail, mountain of delight,
Palace of glory, blest'd by glory's king !
With prosp'ring shade embow'r me, whilst I sing
Thy wonders yet unreach'd by mortal flight.

Sky-

Sky-piercing mountain ! In thy bow'rs of love
 No tears are seen, save where medici'nal stalks
 Weep drops balsamick o'er the silver'd walks ;
 No plaints are heard, save where the restless dove
 Of coy repulse and mild reluctance talks ;
 Mantled in woven gold, with gems enchas'd,
 With em'rald hillocks grac'd,
 From whose fresh laps in young fantastick mazes
 Soft crystal bounds and blazes
 Bathing the lithe convolvulus, that winds
 Obsequious, and each flaunting arbour binds.

When sapient BRAHMA' this new world approv'd,
 On woody wings eight primal mountains mov'd ;
 But INDRA mark'd *Suméru* for his own,
 And motionless was ev'ry stone.

Dazzling the moon he rears his golden head :
 Nor bards inspir'd, nor heav'n's all-perfect speech
 Less may unhallow'd rhyme his beauties teach,
 Or paint the pavement which th' immortals tread ;
 Nor thought of man his awful height can reach :
 Who sees it, maddens ; who approaches, dies ;
 For, with flame-darting eyes,
 Around it roll a thousand sleepless dragons ;
 While from their diamond flagons
 The feasting Gods exhaustless nectar sip,
 Which glows and sparkles on each fragrant lip.

This feast, in mem'ry of the churned wave
 Great INDRA gave, when *Amrit* first was won
 From impious demons, who to *Máyà*'s eyes
 Resign'd the prize, and rued the fight begun.

Now,

Now, while each ardent *Cinnara* persuades
 The soft-ey'd *Apsarà* to break the dance,
 And leads her loth, yet with love-beaming glance,
 To banks of marjoram and *Champac* shades,
 Celestial *Genii* tow'rd their king advance
 (So call'd by men, in heav'n *Gandharva's* nam'd)
 For matchless musick fam'd.
 Soon, where the bands in lucid rows assemble,
 Flutes breathe, and citherns tremble ;
 Till CHITRARATHA sings—His painted car,
 Yet unconsum'd, gleams like an orient star.

Hush'd was ev'ry breezy pinion,
 Ev'ry stream his fall suspended :
 Silence reign'd ; whose sole dominion
 Soon was rais'd, but soon was ended.

He sings, how ' whilom from the troubled main
 ' The sov'reign elephant *Airavan* sprang ;
 ' The breathing shell, that peals of conquest rang ;
 ' The parent cow, whom none implores in vain ;
 ' The milkwhite steed, the bow with deaf'ning clang ;
 ' The Goddesses of beauty, wealth, and wine ;
 ' Flow'rs, that unfading shine,
 ' NA'RA'YAN's gem, the moonlight's tender languish ;
 ' Blue venom, source of anguish ;
 ' The solemn leech, flow-moving o'er the strand,
 ' A vase of long-fought *Amrit* in his hand.

' To soften human ills dread SIVA drank
 ' The pois'nous flood, that stain'd his azure neck ;
 ' The rest thy mansions deck,
 ' High *Swerga*, stor'd in many a blazing rank.

' Thou,

' Thou, God of thunder, satst on *Méru* thron'd,
 ' Cloud-riding, mountain-piercing, thousand-ey'd,
 ' With young *PULO'MAJA*, thy blooming bride,
 ' Whilst air and skies thy boundless empire own'd;
 ' Hail, *DYUPETIR*, dismay to *BALA*'s pride!
 ' Or speaks *PURANDER* best thy martial fame,
 ' Or *SACRA*, mystick name?
 ' With various praise in odes and hallow'd story
 ' Sweet bards shall hymn thy glory.
 ' Thou, *VA'SAVA*, from this unmeasur'd height
 ' Shedst pearl, shedst odours o'er the sons of light!'

The Genius rested; for his pow'rful art
 Had swell'd the monarch's heart with ardour vain,
 That threaten'd rash disdain, and seem'd to low'r
 On Gods of loftier pow'r and ampler reign.

He smil'd; and, warbling in a softer mode,
 Sang ' the red light'ning, hail, and whelming rain
 ' O'er *Gócul* green and *Vraja*'s nymph-lov'd plain
 ' By *INDRA* hurl'd, whose altars ne'er had glow'd,
 ' Since infant *CRISHNA* rul'd the rustick train
 ' Now thrill'd with terror—Them the heav'nly child
 ' Call'd, and with looks ambrosial smil'd,
 ' Then with one finger rear'd the vast *Goverdhen*,
 ' Beneath whose rocky burden
 ' On pastures dry the maids and herdsmen trod:
 ' The Lord of thunder felt a mightier God!'

What furies potent modulation soothes!
 E'en the dilated heart of *INDRA* shrinks:
 His ruffled brow he smoothes,
 His lance half-rais'd with listless languor sinks.

A sweeter

A sweeter strain the sage musician chose :
 He told, how 'SACHI, soft as morning light,
 ' Blythe SACHI, from her Lord INDRA'NI' hight,
 ' When through clear skies their car ethereal rose,
 ' Fix'd on a garden trim her wand'ring fight,
 ' Where gay pomegranates, fresh with early dew,
 ' Vaunted their blossoms new :
 " Oh! pluck, she said, yon gems, which nature dresses
 " To grace my darker tresses."
 ' In form a shepherd's boy, a God in soul,
 ' He hasten'd, and the bloomy treasure stole.

' The reckless peasant, who those glowing flow'rs,
 ' Hopeful of rubied fruit, had foster'd long,
 ' Seiz'd and with cordage strong
 ' Shackled the God, who gave him show'rs.

' Straight from sev'n winds immortal Genii flew,
 ' Green *Varuna*, whom foamy waves obey,
 ' Bright *Vabni* flaming like the lamp of day,
 ' *Cuvéra* fought by all, enjoyed by few,
 ' *Marut*, who bids the winged breezes play,
 ' Stern *Yama*, ruthless judge, and *Isa* cold
 ' With *Nairrit* mildly bold :
 ' They with the ruddy flash, that points his thunder,
 ' Rend his vain bands asunder.
 ' Th' exulting God resumes his thousand eyes,
 ' Four arms divine, and robes of changing dyes.'

Soft memory retrac'd the youthful scene :
 The thund'rer yielded to resistless charms,
 Then smil'd enamour'd on his blushing queen,
 And melted in her arms.

Such

Such was the vision, which, on *Varan's* breast
 Or *Asi* pure with offer'd blossoms fill'd,
DWAIPA'YAN slumb'ring saw; (thus *NA'RED* will'd)
 For waking eye such glory never blest'd,
 Nor waking ear such music ever thrill'd.
 It vanish'd with light sleep: he, rising, prais'd
 The guarded mount high-raised,
 And pray'd the thund'ring pow'r, that sheafy treasures,
 Mild show'rs and vernal pleasures,
 The lab'ring youth in mead and vale might cheer,
 And cherish'd herdsmen blest th' abundant year.

Thee, darter of the swift blue bolt, he sang;
 Sprinkler of genial dews and fruitful rains
 O'er hills and thirsty plains!
 ' When through the waves of war thy charger sprang,
 ' Each rock rebellow'd and each forest rang,
 ' Till vanquish'd *Afurs* felt avenging pains.
 ' Send o'er their seats the snake, that never dies,
 ' But waft the virtuous to thy skies!'

A HYMN

TO

S Ū R Y A.

THE ARGUMENT.

A PLAUSIBLE opinion has been entertained by learned men, that the principal source of idolatry among the ancients was their enthusiastick admiration of the Sun; and that, when the primitive religion of mankind was lost amid the distractions of establishing regal government, or neglected amid the allurements of vice, they ascribed to the great visible luminary, or to the wonderful fluid, of which it is the general reservoir, those powers of pervading all space and animating all nature, which their wiser ancestors had attributed to one eternal MIND, by whom the substance of fire had been created as an inanimate and secondary cause of natural phenomena. The Mythology of the East confirms this opinion; and it is probable, that the *triple Divinity* of the *Hindus* was originally no more than a personification of the Sun, whom they call *Treyitenu*, or *Three-bodied*, in his triple capacity of producing forms by his genial *heat*, preserving them by his *light*, or destroying them by the concentrated force of his *igneous* matter: this, with the wilder conceit of a *female power* united with the Godhead, and ruling nature by his authority, will account for nearly the whole system of *Egyptian*, *Indian*, and *Grecian* polytheism, distinguished from the sublime Theology of the Philosophers, whose understandings were too strong to admit the popular belief, but whose influence was too weak to reform it.

SU'RYA, the PHÆBUS of *European* heathens, has near fifty names or epithets in the *Sanscrit* language; most of which, or at least the meanings of them, are introduced in the following Ode; and every image, that seemed capable of poetical ornament, has been selected from books of the highest authority

among the *Hindus*: the title *Arca* is very singular; and it is remarkable, that the *Tibetians* represent the Sun's car in the form of a *boat*.

It will be necessary to explain a few other particulars of the *Hindu* Mythology, to which allusions are made in the poem. *SOMA*, or the Moon, is a *male* Deity in the *Indian* system, as *Mona* was, I believe, among the *Saxons*, and *Lunus* among some of the nations, who settled in *Italy*: his titles also, with one or two of the ancient fables, to which they refer, are exhibited in the second stanza. Most of the *Lunar mansions* are believed to be the daughters of *Casyapa*, the first production of *Brahmā's* head, and from their names are derived those of the twelve months, who are here feigned to have married as many constellations: this primeval *Brāhman* and *Vinatā* are also supposed to have been the parents of *Arun*, the charioteer of the Sun, and of the bird *Garuda*, the eagle of the great *Indian* Jove, one of whose epithets is *Mādhava*.

After this explanation the Hymn will have few or no difficulties, especially if the reader has perused and studied the *Bhagavadgītā*, with which our literature has been lately enriched, and the fine episode from the *Mahābhārat*, on the production of the *Amrita*, which seems to be almost wholly astronomical, but abounds with poetical beauties. Let the following description of the demon *Rāhu*, decapitated by *Nārāyan*, be compared with similar passages in *Hesiod* and *Milton*:

tach ch'hailafringapratiman dānavasya firō mahat
chacrach'hinnam c'hamutpatya nenāditi bhayancaram,
tat cabandham pepātāsya viśp'hurad dharanitalē
śapervatavanadwipān daityasyācampayanmahim.

THE HYMN.

FOUNTAIN of living light,
That o'er all nature streams,
Of this vast microcosm both nerve and soul ;
Whose swift and subtil beams,
Eluding mortal sight,
Pervade, attract, sustain th' effulgent whole,
Unite, impel, dilate, calcine,
Give to gold its weight and blaze,
Dart from the diamond many-tinted rays,
Condense, protrude, transform, concoct, refine
The sparkling daughters of the mine ;
Lord of the lotos, father, friend, and king,
O Sun, thy pow'rs I sing :
Thy substance *Indra* with his heav'nly bands
Nor sings nor understands ;
Nor e'en the *Védas* three to man explain
Thy mystick orb triform, though *Brabmà* tun'd the strain.

Thou, nectar-beaming Moon,
Regent of dewy night,
From yon black roe, that in thy bosom sleeps,
Fawn-spotted *Sasin* hight ;
Wilt thou desert so soon
Thy night-flow'rs pale, whom liquid odour steepes,

And

And *Oshadhi*'s transcendent beam
 Burning in the darkest glade?
 Will no lov'd name thy gentle mind persuade
 Yet one short hour to shed thy cooling stream?
 But ah! we court a passing dream:
 Our pray'r nor *Indu* nor *Himánsu* hears;
 He fades; he disappears—
 E'en *Casyapa*'s gay daughters twinkling die,
 And silence lulls the sky,
 Till *Chátacs* twitter from the moving brake,
 And fandal-breathing gales on beds of ether wake.

Burst into song, ye spheres;
 A greater light proclaim,
 And hymn, concentrick orbs, with sev'nfold chime
 The God with many a name;
 Nor let unhallow'd ears
 Drink life and rapture from your charm sublime:
 ' Our bosoms, *Aryama*, inspire,
 ' Gem of heav'n, and flow'r of day,
 ' *Viváswat*, lancer of the golden ray,
 ' *Divácara*, pure source of holy fire,
 ' Victorious *Ráma*'s fervid fire,
 ' Dread child of *Aditi*, *Martunda* blest'd,
 ' Or *Súra* be address'd,
 ' *Ravi*, or *Mibira*, or *Bhánu* bold,
 ' Or *Arca*, title old,
 ' Or *Heridaswa* drawn by green-hair'd steeds,
 ' Or *Carmasacshi* keen, attesting secret deeds.

' What

' What fiend, what monster fierce
 ' E'er durst thy throne invade?
 ' Malignant *Ráhu*. Him thy wakeful fight,
 ' That could the deepest shade
 ' Of snaky *Narac* pierce,
 ' Mark'd quaffing nectar; when by magick flight
 ' A *Sura*'s lovely form he wore,
 ' Rob'd in light, with lotos crown'd,
 ' What time th' immortals peerless treasures found
 ' On the churn'd Ocean's gem-bespangled shore,
 ' And *Mandar*'s load the tortoise bore:
 ' Thy voice reveal'd the daring sacrilege;
 ' Then, by the deathful edge
 ' Of bright *Sudersan* cleft, his dragon head
 ' Dismay and horror spread
 ' Kicking the skies, and struggling to impair
 ' The radiance of thy robes, and stain thy golden hair.

' With smiles of stern disdain
 ' Thou, sov'reign victor, seest
 ' His impious rage: soon from the mad assault
 ' Thy couriers fly releas'd;
 ' Then tofs each verdant mane,
 ' And gallop o'er the smooth aerial vault;
 ' Whilst in charm'd *Gócul*'s od'rous vale
 ' Blue-ey'd *Yamunà* descends
 ' Exulting, and her tripping tide suspends,
 ' The triumph of her mighty fire to hail:
 ' So must they fall, who Gods assail!
 ' For now the demon rues his rash emprise,
 ' Yet, bello'wing blasphemies

' With

' With pois'nous throat, for horrid vengeance thirsts,
 ' And oft with tempest bursts,
 ' As oft repell'd he groans in fiery chains,
 ' And o'er the realms of day unvanquish'd *Súrya* reigns.'

Ye clouds, in wavy wreathes
 Your dusky van unfold;
 O'er dimpled sands, ye furies, gently flow,
 With sapphires edg'd and gold!
 Loose-tressed morning breathes,
 And spreads her blushes with expansive glow;
 But chiefly where heav'n's op'ning eye
 Sparkles at her saffron gate,
 How rich, how regal in his orient state!
 Erelong he shall imblaze th' unbounded sky:
 The fiends of darkness yelling fly;
 While birds of liveliest note and lightest wing
 The rising daystar sing,
 Who skirts th' horizon with a blazing line
 Of topazes divine;
 E'en, in their prelude, brighter and more bright,
 Flames the red east, and pours insufferable light*.

First o'er blue hills appear,
 With many an agate hoof
 And pasterns fring'd with pearl, sev'n couriers green;
 Nor boasts yon arched woof,
 That girds the show'ry sphere,
 Such heav'n-spun threads of colour'd light serene,

* See GRAY'S Letters, p. 382, 4to. and the note.

As tinge the reins, which *Arun* guides,
Glowing with immortal grace,
Young *Arun*, loveliest of *Vinatian* race,
Though younger He, whom *Mádhava* bestrides,
When high on eagle-plumes he rides :
But oh ! what pencil of a living star
Could paint that gorgeous car,
In which, as in an ark supremely bright,
The lord of boundless light
Ascending calm o'er th' empyrean fails,
And with ten thousand beams his awful beauty veils.

Behind the glowing wheels
Six jocund seasons dance,
A radiant month in each quick-shifting hand ;
Alternate they advance,
While buxom nature feels
The grateful changes of the frolick band :
Each month a constellation fair
Knit in youthful wedlock holds,
And o'er each bed a varied fun unfolds,
Left one vast blaze our visual force impair,
A canopy of woven air.
Vasanta blythe with many a laughing flow'r
Decks his *Candarpa*'s bow'r ;
The drooping pastures thirsty *Grishma* dries,
Till *Varsha* bids them rise ;
Then *Sarat* with full sheaves the champaign fills,
Which *Sifra* bedews, and stern *Hémanta* chills.

Mark,

Mark, how th' all-kindling orb
 Meridian glory gains !
 Round *Méru's* breathing zone he winds oblique
 O'er pure cerulean plains :
 His jealous flames absorb
 All meaner lights, and unresisted strike
 The world with rapt'rous joy and dread.
 Ocean, smit with melting pain,
 Shrinks, and the fiercest monster of the main
 Mantles in caves profound his tusky head
 With sea-weeds dank and coral spread :
 Less can mild earth and her green daughters bear
 The noon's wide-wasting glare ;
 To rocks the panther creeps ; to woody night
 The vulture steals his flight ;
 E'en cold cameleons pant in thickets dun,
 And o'er the burning grit th'unwinged locusts run !

But when thy foaming steeds
 Descend with rapid pace
 Thy fervent axle hast'ning to allay,
 What majesty, what grace
 Dart o'er the western meads
 From thy relenting eye their blended ray !
 Soon may th' undazzled sense behold
 Rich as *Viṣṇu's* diadem,
 Or *Amrit* sparkling in an azure gem,
 Thy horizontal globe of molten gold,
 Which pearl'd and rubied clouds infold.

It

It sinks ; and myriads of diffusive dyes
 Stream o'er the tiffued skies,
 Till *Sóma* smiles, attracted by the song
 Of many a plumed throng
 In groves, meads, vales ; and, whilst he glides above,
 Each bush and dancing bough quaffs harmony and love.

Then roves thy poet free,
 Who with no borrow'd art
 Dares hymn thy pow'r, and durst provoke thy blaze,
 But felt thy thrilling dart ;
 And now, on lowly knee,
 From him, who gave the wound, the balsam prays.
 Herbs, that assuage the fever's pain,
 Scatter from thy rolling car,
 Cull'd by sage *Aświn* and divine *Cumār* ;
 And, if they ask, " What mortal pours the strain ?"
 Say (for thou see'st earth, air, and main)
 Say : " From the bosom of yon silver isle,
 " Where skies more softly smile,
 " He came ; and, lisping our celestial tongue,
 " Though not from *Brahmā* sprung,
 " Draws orient knowledge from its fountains pure,
 " Through caves obstructed long, and paths too long obscure."

Yes ; though the *Sanscrit* song
 Be strown with fancy's wreathes,
 And emblems rich, beyond low thoughts refin'd,
 Yet heav'nly truth it breathes

With attestation strong,
 That, loftier than thy sphere, th' Eternal Mind,
 Unmov'd, unrival'd, undefil'd,
 Reigns with providence benign :
 He still'd the rude abyfs, and bade it shine
 (While Sapience with approving aspect mild
 Saw the stupendous work, and smil'd) ;
 Next thee, his flaming minifter, bade rife
 O'er young and wondering fkies.
 Since thou, great orb, with all-enlight'ning ray
 Rulest the golden day,
 How far more glorious He, who faid ferene,
 Be, and *thou waft*—Himself unform'd, unchang'd, unfeen !

A HYMN

TO

LACSHMI.

THE ARGUMENT.

MOST of the allusions to *Indian* Geography and Mythology, which occur in the following Ode to the Goddess of Abundance, have been explained on former occasions ; and the rest are sufficiently clear. *LACSHMI'*, or *SRI'*, the *CERES* of *India*, is the *preserving power* of nature, or, in the language of allegory, the consort of *VISHNU* or *HERI*, a personification of the divine goodness ; and her origin is variously deduced in the several *Purána's*, as we might expect from a system wholly figurative and emblematical. Some represent her as the daughter of *BHRIGU*, a son of *BRAHMA'* ; but, in the *Márcandéya Purán*, the *Indian* *ISIS*, or *Nature*, is said to have assumed three transcendent forms, according to her three *guna's* or *qualities*, and, in each of them, to have produced a pair of divinities, *BRAHMA'* and *LACSHMI'*, *MAHE'SA* and *SERESWATI'*, *VISHNU* and *CA'LI'* ; after whose intermarriage, *BRAHMA'* and *SERESWATI'* formed the mundane Egg, which *MAHE'SA* and *CA'LI'* divided into halves ; and *VISHNU* together with *LACSHMI'* preserved it from destruction : a third story supposes her to have sprung from the *Sea of milk*, when it was churned on the second incarnation of *HERI*, who is often painted reclining on the serpent *ANANTA*, the emblem of eternity ; and this fable, whatever may be the meaning of it, has been chosen as the most poetical. The other names of *SRI'*, or *Prosperity*, are *HERIPRIYA'*, *PEDMA'LAYA'*, or *PEDMA'*, and *CAMALA* ;
the

the first implying the wife of VISHNU, and the rest derived from the names of the Lotos. As to the tale of SUDA'MAN, whose wealth is proverbial among the *Hindus*, it is related at considerable length in the *Bhágavat*, or great *Purán* on the Achievements of CRISHNA: the *Bráhmen*, who read it with me, was frequently stopped by his tears. We may be inclined perhaps to think, that the wild fables of idolaters are not worth knowing, and that we may be satisfied with mispending our time in learning the Pagan Theology of old *Greece* and *Rome*; but we must consider, that the allegories contained in the Hymn to LACSHMI' constitute at this moment the prevailing religion of a most extensive and celebrated Empire, and are devoutly believed by many millions, whose industry adds to the revenue of *Britain*, and whose manners, which are interwoven with their religious opinions, nearly affect all *Europeans*, who reside among them.

THE HYMN.

DAUGHTER of Ocean and primeval Night,
Who, fed with moonbeams dropping silver dew,
And cradled in a wild wave dancing light,
Saw'st with a smile new shores and creatures new,
Thee, Goddess, I salute; thy gifts I sing,
And, not with idle wing,
Soar from this fragrant bow'r through tepid skies,
Ere yet the steeds of noon's effulgent king
Shake their green manes and blaze with rubied eyes :
Hence, floating o'er the smooth expanse of day,
Thy bounties I survey,
See through man's oval realm thy charms display'd,
See clouds, air, earth, performing thy behest,
Plains by soft show'rs, thy tripping handmaids, dress'd,
And fruitful woods, in gold and gems array'd,
Spangling the mingled shade ;
While autumn boon his yellow ensign rears,
And stores the world's true wealth in rip'ning ears.

But most that central tract thy smile adorns,
Which old *Himála* clips with soft'ring arms,
As with a waxing moon's half-circling horns,
And shields from bandits fell, or worse alarms
Of *Tatar* horse from *Yunan* late subdued,
Or *Bactrian* bowmen rude ;

Snow-

Snow-crown'd *Himála*, whence, with wavy wings
 Far spread, as falcons o'er their nestlings brood,
 Fam'd *Brahmaputra* joy and verdure brings,
 And *Sindhu's* five-arm'd flood from *Cashghar* hastes,

To cheer the rocky wastes,
 Through western this and that through orient plains;
 While bluish *Yamunà* between them streams,
 And *Gangà* pure with sunny radiance gleams,
 Till *Vani*, whom a russet ochre stains,

Their destin'd confluence gains:
 Then flows in mazy knot the triple pow'r
 O'er laughing *Magadh* and the vales of *Gour*.

Not long inswath'd the sacred infant lay
 (Celestial forms full soon their prime attain):
 Her eyes, oft darted o'er the liquid way,
 With golden light emblaz'd the darkling main;
 And those firm breasts, whence all our comforts well,

Rose with enchanting swell;
 Her loose hair with the bounding billows play'd,
 And caught in charming toils each pearly shell,
 That idling through the surgy forest stray'd;
 When ocean suffer'd a portentous change,
 Toss'd with convulsion strange;
 For lofty *Mandar* from his base was torn,
 With streams, rocks, woods, by Gods and Demons whirl'd,
 While round his craggy sides the mad spray curl'd,
 Hush mountain, by the passive Tortoise borne:

Then sole, but not forlorn,
 Shipp'd in a flow'r, that balmy sweets exhal'd,
 O'er waves of dulcet cream *PEDMA'LA'* fail'd.

So name the Goddess from her Lotos blue,
Or CAMALA', if more auspicious deem'd :
With many-petal'd wings the blossom flew,
And from the mount a flutt'ring sea-bird seem'd,
Till on the shore it stopp'd, the heav'n-lov'd shore,
 Bright with unvalued store
Of gems marine by mirthful INDRA won ;
But she, (what brighter gem had shone before ?)
No bride for old MA'RI'CHA's frolick son,
On azure HERI fix'd her prosp'ring eyes :
 Love bade the bridegroom rise ;
Straight o'er the deep, then dimpling smooth, he rush'd ;
And tow'rd th' unmeasur'd snake, stupendous bed,
The world's great mother, not reluctant, led :
All nature glow'd, whene'er she smil'd or blush'd ;
 The king of serpents hush'd
His thousand heads, where diamond mirrors blaz'd,
That multiplied her image, as he gaz'd.

Thus multiplied, thus wedded, they pervade,
In varying myriads of ethereal forms,
This pendent Egg by dovelike MA'YA' laid,
And quell MAHE'SA's ire, when most it storms ;
Ride on keen lightning and disarm its flash,
 Or bid loud surges lash
Th' impassive rock, and leave the rolling barque
With oars unshatter'd milder seas to dash ;
And oft, as man's unnumber'd woes they mark,
They spring to birth in some high-favour'd line,
 Half human, half divine,

And

And tread life's maze transfigur'd, unimpair'd :
 As when, through blest *Vrindávan*'s od'rous grove,
 They deign'd with hinds and village girls to rove,
 And myrth or toil in field or dairy shar'd,

As lowly rusticks far'd :

Blythe RA'DHA' she, with speaking eyes, was nam'd,
 He CRISHNA, lov'd in youth, in manhood fam'd.

Though long in *Mathurá* with milkmaids bred,
 Each bush attuning with his past'ral flute,
 ANANDA's holy steers the Herdsman fed,
 His nobler mind aspir'd to nobler fruit :
 The fiercest monsters of each brake or wood

His youthful arm withstood,
 And from the rank mire of the stagnant lake
 Drew the crush'd serpent with ensanguin'd hood ;
 Then, worse than rav'ning beast or fenny snake,
 A ruthless king his pond'rous mace laid low,

And heav'n approv'd the blow :
 No more in bow'r or wattled cabin pent,
 By rills he scorn'd and flow'ry banks to dwell ;
 His pipe lay tuneless, and his wreathy shell
 With martial clangor hills and forests rent ;

On crimson wars intent
 He sway'd high *Dwáracá*, that fronts the mouth
 Of gulfy *Sindhu* from the burning south.

A Bráhmen young, who, when the heav'nly boy
 In *Vraja* green and scented *Gócul* play'd,
 Partook each transient care, each fitting joy,
 And hand in hand through dale or thicket stray'd,

By

By fortune sever'd from the blissful feat,
 Had fought a lone retreat ;
 Where in a costless hut sad hours he pass'd,
 Its mean thatch pervious to the daystar's heat,
 And fenceless from night's dew or pinching blast :
 Firm virtue he possess'd and vig'rous health,
 But they were all his wealth.

SUDA'MAN was he nam'd ; and many a year
 (If glowing song can life and honour give)
 From sun to sun his honour'd name shall live :
 Oft strove his comfort wife their gloom to cheer,
 And hide the stealing tear ;
 But all her thrift could scarce each eve afford
 The needful sprinkling of their scanty board.

Now Fame, who rides on sunbeams, and conveys
 To woods and antres deep her spreading gleam,
 Illumin'd earth and heav'n with CRISHNA's praise :
 Each forest echoed loud the joyous theme,
 But keener joy SUDA'MAN's bosom thrill'd,
 And tears ecstasick rill'd :

" My friend, he cried, is monarch of the skies !"
 Then counsell'd she, who nought unseemly will'd :
 " Oh ! haste ; oh ! seek the God with lotos eyes ;
 " The pow'r, that stoops to soften human pain,
 " None e'er implor'd in vain."

To *Dwāraca*'s rich tow'rs the pilgrim sped,
 Though bashful penury his hope depress'd ;
 A tatter'd cincture was his only vest,
 And o'er his weaker shoulder loosely spread
 Floated the mystick thread :

Secure from scorn the crowded paths he trode
Through yielding ranks, and hail'd the Shepherd God.

“ Friend of my childhood, lov'd in riper age,
“ A dearer guest these mansions never grac'd :
“ O meek in social hours, in council sage ! ”
So spake the Warriour, and his neck embrac'd ;
And e'en the Goddess left her golden seat

Her lord's compeer to greet :
He charm'd, but prostrate on the hallow'd floor,
Their purpled vestment kiss'd and radiant feet ;
Then from a small fresh leaf, a borrow'd store
(Such off'rings e'en to mortal kings are due)

Of modest rice he drew.
Some proffer'd grains the soft-ey'd Hero ate,
And more had eaten, but, with placid mien,
Bright RUCMINI' (thus name th' all-bounteous Queen)
Exclaim'd : “ Ah, hold ! enough for mortal state ! ”

Then grave on themes elate
Discourfing, or on past adventures gay,
They clos'd with converse mild the rapt'rous day.

At smile of dawn dismiss'd, ungifted, home
The hermit plodded, till sublimely rais'd
On granite columns many a sumptuous dome
He view'd, and many a spire, that richly blaz'd,
And seem'd, impurpled by the blush of morn,

The lowlier plains to scorn
Imperious : they, with conscious worth serene,
Laugh'd at vain pride, and bade new gems adorn
Each rising shrub, that clad them. Lovely scene
And more than human ! His astonish'd sight
Drank deep the strange delight :

He

He saw brisk fountains dance, crisp riv'lets wind
 O'er borders trim, and round inwoven bow'rs,
 Where sportive creepers, threading ruby flow'rs
 On em'rald stalks, each vernal arch intwin'd,
 Luxuriant though confin'd;
 And heard sweet-breathing gales in whispers tell
 From what young bloom they fipp'd their spicy smell.

Soon from the palace-gate in broad array
 A maiden legion, touching tuneful strings,
 Descending strow'd with flow'rs the brighten'd way,
 And straight, their jocund van in equal wings
 Unfolding, in their vacant centre shew'd

 Their chief, whose vesture glow'd
 With carbuncles and smiling pearls atween;
 And o'er her head a veil tranfluent flow'd,
 Which, dropping light, disclos'd a beauteous queen,
 Who, breathing love, and swift with timid grace,

 Sprang to her lord's embrace
 With ardent greeting and sweet blandishment;
 His were the marble tow'rs, th' officious train,
 The gems unequal'd and the large domain:
 When bursting joy its rapid stream had spent,
 The stores, which heav'n had lent,
 He spread unsparing, unattach'd employ'd,
 With meekness view'd, with temp'rate bliss enjoy'd.

Such were thy gifts, PEDMA'LA', such thy pow'r!
 For, when thy smile irradiates yon blue fields,
 Observant INDRA sheds the genial show'r,
 And pregnant earth her springing tribute yeilds

Of spiry blades, that clothe the champaign dank,
 Or skirt the verd'rous bank,
 That in th' o'erflowing rill allays his thirst :
 Then, rising gay in many a waving rank,
 The stalks redundant into laughter burst ;
 The rivers broad, like busy should'ring bands,
 Clap their applauding hands ;
 The marish dances and the forest sings ;
 The vaunting trees their bloomy banners rear ;
 And shouting hills proclaim th' abundant year,
 That food to herds, to herdsmen plenty brings,
 And wealth to guardian kings.
 Shall man unthankful riot on thy stores?
 Ah, no! he bends, he blesses, he adores.

But, when his vices rank thy frown excite,
 Excessive show'rs the plains and valleys drench,
 Or warping infects heath and coppice blight,
 Or drought unceasing, which no streams can quench,
 The germin shrivels or contracts the shoot,
 Or burns the wasted root :

Then fade the groves with gather'd crust imbrown'd,
 The hills lie gasping, and the woods are mute,
 Low sink the riv'lets from the yawning ground ;
 Till Famine gaunt her screaming pack lets slip,
 And shakes her scorpion whip ;
 Dire forms of death spread havock, as she flies,
 Pain at her skirts and Mis'ry by her side,
 And jabb'ring spectres o'er her traces glide ;
 The mother clasps her babe, with livid eyes,
 Then, faintly shrieking, dies :

He

He drops expiring, or but lives to feel
The vultures bick'ring for their horrid meal.

From ills, that, painted, harrow up the breast,
(What agonies, if real, must they give !)
Preserve thy vot'ries : be their labours blest !
Oh ! bid the patient *Hindu* rise and live.
His erring mind, that wizard lore beguiles
 Clouded by priestly wiles,
To senseless nature bows for nature's GOD.
Now, stretch'd o'er ocean's vast from happier isles,
He sees the wand of empire, not the rod :
Ah, may those beams, that western skies illumine,
 Disperse th' unholy gloom !
Meanwhile may laws, by myriads long rever'd,
Their strife appease, their gentler claims decide ;
So shall their victors, mild with virtuous pride,
To many a cherish'd grateful race endear'd,
 With temper'd love be fear'd :
Though mists profane obscure their narrow ken,
They err, yet feel ; though pagans, they are men.

A HYMN
TO
NĀRĀYENA.

THE ARGUMENT.

A COMPLETE introduction to the following Ode would be no less than a full comment on the VAYDS and PURA'NS of the HINDUS, the remains of *Egyptian* and *Persian* Theology, and the tenets of the *Ionick* and *Italick* Schools; but this is not the place for so vast a disquisition. It will be sufficient here to premise, that the inextricable difficulties attending the *vulgar notion* of *material substances*, concerning which

“ We know this only, that we nothing know,”

induced many of the wisest among the Ancients, and some of the most enlightened among the Moderns, to believe, that the whole Creation was rather an *energy* than a *work*, by which the Infinite Being, who is present at all times in all places, exhibits to the minds of his creatures a set of perceptions, like a wonderful picture or piece of musick, always varied, yet always uniform; so that all bodies and their qualities exist, indeed, to every wise and useful purpose, but exist only as far as they are *perceived*; a theory no less pious than sublime, and as different from any principle of Atheism, as the brightest sunshine differs from the blackest midnight. This *illusive operation* of the Deity the *Hindu* philosophers call MA'YA', or *Deception*; and the word occurs in this sense more than once in the commentary on the *Rig Vayd*, by the great VASISHTHA, of which Mr. HALHED has given us an admirable specimen.

The *first stanza* of the Hymn represents the sublimest attributes of the Supreme Being, and the three forms, in which they most clearly appear to us,
Power,

Power, Wisdom, and Goodness, or, in the language of ORPHEUS and his disciples, *Love*: the *second* comprises the *Indian* and *Egyptian* doctrine of the Divine Essence and Archetypal Ideas; for a distinct account of which the reader must be referred to a noble description in the sixth book of PLATO's *Republic*; and the fine explanation of that passage in an elegant discourse by the author of CYRUS, from whose learned work a hint has been borrowed for the conclusion of this piece. The *third* and *fourth* are taken from the Institutes of MENU, and the eighteenth *Puran* of VYA'SA', entitled *Srey Bhagawat*, part of which has been translated into *Persian*, not without elegance, but rather too paraphrastically. From BREHME, or the *Great Being*, in the *neuter* gender, is formed BREHMA', in the *masculine*; and the second word is appropriated to the *creative power* of the Divinity.

The spirit of GOD, called NA'RA'YENA, or *moving on the water*, has a multiplicity of other epithets in *Sanscrit*, the principal of which are introduced, expressly or by allusion, in the *fifth* stanza; and two of them contain the names of the *evil beings*, who are feigned to have sprung from the ears of VISHNU; for thus the divine spirit is entitled, when considered as the *preserving power*: the *sixth* ascribes the perception of *secondary* qualities by our *senses* to the immediate influence of MA'YA'; and the *seventh* imputes to her operation the *primary* qualities of *extension* and *solidity*.

THE HYMN.

SPIRIT of Spirits, who, through ev'ry part
Of space expanded and of endless time,
Beyond the stretch of lab'ring thought sublime,
Badst uproar into beauteous order start,
Before Heav'n was, Thou art :
Ere spheres beneath us roll'd or spheres above,
Ere earth in firmamental ether hung,
Thou satst alone ; till, through thy mystick Love,
Things unexisting to existence sprung,
And grateful descant sung.
What first impell'd thee to exert thy might ?
Goodness unlimited. What glorious light
Thy pow'r directed ? Wisdom without bound.
What prov'd it first ? Oh ! guide my fancy right ;
Oh ! raise from cumbrous ground
My soul in rapture drown'd,
That fearless it may soar on wings of fire ;
For Thou, who only knowst, Thou only canst inspire.

Wrapt in eternal solitary shade,
Th' impenetrable gloom of light intense,
Impervious, inaccessible, immense,
Ere spirits were infus'd or forms display'd,
BREHM his own Mind survey'd,

As mortal eyes (thus finite we compare
With infinite) in smoothest mirrors gaze :
Swift, at his look, a shape supremely fair
Leap'd into being with a boundless blaze,
That fifty suns might daze.
Primeval MAYA was the Goddess nam'd,
Who to her fire, with Love divine inflam'd,
A casket gave with rich *Ideas* fill'd,
From which this gorgeous Universe he fram'd ;
For, when th' Almighty will'd
Unnumber'd worlds to build,
From Unity diversified he sprang,
While gay Creation laugh'd, and procreant Nature rang.

First an all-potent all-pervading fount
Bade flow the waters—and the waters flow'd,
Exulting in their measureless abode,
Diffusive, multitudinous, profound,
Above, beneath, around ;
Then o'er the vast expanse primordial wind
Breath'd gently, till a lucid bubble rose,
Which grew in perfect shape an Egg refin'd :
Created substance no such lustre shows,
Earth no such beauty knows.
Above the warring waves it danc'd elate,
Till from its bursting shell with lovely state
A form cerulean flutter'd o'er the deep,
Brightest of beings, greatest of the great :
Who, not as mortals steep,
Their eyes in dewy sleep,
But heav'nly-pensive on the Lotos lay,
That blossom'd at his touch and shed a golden ray.

Hail,

Hail, primal blossom ! hail empyreal gem !
 KEMEL, or PEDMA, or whate'er high name
 Delight thee, say, what four-form'd Godhead came,
 With graceful stole and beamy diadem,
 Forth from thy verdant stem ?
 Full-gifted BREHMA ! Rapt in solemn thought
 He stood, and round his eyes fire-darting threw ;
 But, whilst his viewless origin he fought,
 One plain he saw of living waters blue,
 Their spring nor saw nor knew.
 Then, in his parent stalk again retir'd,
 With restless pain for ages he inquir'd
 What were his pow'rs, by whom, and why conferr'd :
 With doubts perplex'd, with keen impatience fir'd
 He rose, and rising heard
 Th' unknown all-knowing Word,
 " BREHMA ! no more in vain research persist :
 My veil thou canst not move—Go ; bid all worlds exist."

Hail, self-existent, in celestial speech
 NARAYEN, from thy watry cradle, nam'd ;
 Or VENAMALY may I sing unblam'd,
 With flow'ry braids, that to thy sandals reach,
 Whose beauties, who can teach ?
 Or high PEITAMBER clad in yellow robes
 Than sunbeams brighter in meridian glow,
 That weave their heav'n-spun light o'er circling globes ?
 Unwearied, lotos-eyed, with dreadful bow,
 Dire Evil's constant foe !
 Great PEDMANABHA, o'er thy cherish'd world
 The pointed *Checra*, by thy fingers whirl'd,

Fierce

Fierce KYTABH shall destroy and MEDHU grim
 To black despair and deep destruction hurl'd.
 Such views my senses dim,
 My eyes in darkness swim:
 What eye can bear thy blaze, what utterance tell
 Thy deeds with silver trump or many-wreathed shell?

Omniscient Spirit, whose all-ruling pow'r
 Bids from each sense bright emanations beam;
 Glows in the rainbow, sparkles in the stream,
 Smiles in the bud, and glistens in the flow'r
 That crowns each vernal bow'r;
 Sighs in the gale, and warbles in the throat
 Of ev'ry bird, that hails the bloomy spring,
 Or tells his love in many a liquid note,
 Whilst envious artists touch the rival string,
 Till rocks and forests ring;
 Breathes in rich fragrance from the sandal grove,
 Or where the precious musk-deer playful rove;
 In dulcet juice from clust'ring fruit distills,
 And burns salubrious in the tasteful clove:
 Soft banks and verd'rous hills
 Thy present influence fills;
 In air, in floods, in caverns, woods, and plains;
 Thy will inspirits all, thy sov'reign MAYA reigns.

Blue crystal vault, and elemental fires,
 That in th' ethereal fluid blaze and breathe;
 Thou, tossing main, whose snaky branches wreath
 This pensive orb with interwisted gyres;
 Mountains, whose radiant spires

Prefumptuous

Prefumptuous rear their fummits to the skies,
And blend their em'rald hue with sapphire light;
Smooth meads and lawns, that glow with varying dyes
Of dew-bespangled leaves and blossoms bright,

Hence! vanish from my sight:

Delusive Pictures! unsubstantial shows!

My soul absorb'd One only Being knows,
Of all perceptions One abundant source,
Whence ev'ry object ev'ry moment flows:

Suns hence derive their force,

Hence planets learn their course;

But suns and fading worlds I view no more:

God only I perceive; God only I adore.

Preeminence rear their summits to the skies,
 And blend their emerald hue with sapphire light;
 Smooth meads and lawns, that glow with varying tints,
 Of dew-drenched leaves and blossoms bright.
 Hence I vanish from my sight;
 Delusive pictures! unsubstantial shows!
 My soul's abode is God only, Beyond
 Of all creation One absolute source,
 Whence I reject every transient flow;
 And hence I leave their vain
 Forms, which leave their cores;
 But inward turn, where I view no more;
 And only I perceive, God only I adore.

A HYMN
TO
SERESWATY.

THE ARGUMENT.

THE *Hindu* Goddeffes are uniformly represented as the subordinate *powers* of their respective lords: thus LACSHMY, the consort of VISHNU the *Preserver*, is the Goddeff of *abundance* and *prosperity*; BHAVA'NY, the wife of MAHA'DE'V, is the genial power of *fecundity*; and SERESWATY, whose husband was the *Creator* BREHMA', possesses the powers of Imagination and Invention, which may justly be termed *creative*. She is, therefore, adored as the patroness of the fine arts, especially of Musick and Rhetorick, as the inventress of the SANSKRIT Language, of the *Dévanágrí* Letters, and of the sciences, which writing perpetuates; so that her attributes correspond with those of MINERVA MUSICA, in *Greece* and *Italy*, who invented the flute, and presided over literature. In this character she is addressed in the following ode, and particularly as the *Goddeff of Harmony*; since the *Indians* usually paint her with a musical instrument in her hand: the seven notes, an artful combination of which constitutes *Musick* and variously affects the passions, are feigned to be her earliest production; and the greatest part of the Hymn exhibits a correct delineation of the RA'GMA'LA', or *Necklace of Musical Modes*, which may be considered as the most pleasing invention of the ancient *Hindus*, and the most beautiful union of Painting with poetical Mythology and the genuine theory of Musick.

The different position of the *two* semitones in the scale of *seven* notes gives birth to seven *primary* modes; and, as the whole series consists of *twelve* semitones, every one of which may be made a *modal* note or *tonick*, there are in nature, (though not universally in practice) *seventy-seven* other modes, which may be called *derivative*: all the *eighty-four* are distributed by the PERSIANS, under

under the notion of *locality*, into three classes consisting of *twelve* rooms, *twenty-four* angles, and *forty-eight* recesses; but the HINDU arrangement is elegantly formed on the variations of the *Indian* year, and the association of ideas; a powerful auxiliary to the ordinary effect of modulation. The Modes, in this system, are deified; and, as there are *six* seasons in *India*, namely, two Springs, Summer, Autumn, and two Winters, an original RA'G, or *God of the Mode*, is conceived to preside over a particular season; each principal mode is attended by *five* RA'GNYS, or *Nymphs of Harmony*; each has *eight* Sons, or *Genii* of the same divine Art; and each RA'G, with his family, is appropriated to a distinct season, in which alone his melody can be sung or played at prescribed hours of the day and night: the mode of DEIPEC, or CUPID the *Inflamer*, is supposed to be lost; and a tradition is current in *Hindustan*, that a musician, who attempted to restore it, was consumed by fire from heaven. The natural distribution of modes would have been *seven*, *thirty-three*, and *forty-four*, according to the number of the *minor* and *major* secondary tones; but this order was varied for the sake of the charming fiction above-mentioned. NA'RED, who is described in the *third* stanza, was one of the first created beings, corresponding with the MERCURY of the *Italians*, inventor of the VENE, a fretted instrument supported by two large gourds, and confessedly the finest used in *Asia*.

A full discussion of so copious a subject would require a separate dissertation; but here it will be sufficient to say, that almost every allusion and every epithet in the Poem, as well as the names, are selected from approved treatises, either originally *Persian* or translated from the *Sanscrit*, which contain as lively a display of genius, as human imagination ever exhibited.

The last couplet alludes to the celebrated place of pilgrimage, at the confluence of the *Gangá* and *Yamná*, which the *Sereswaty*, another sacred river, is supposed to join under ground.

THE HYMN.

SWEET grace of BREHMA's bed!
Thou, when thy glorious lord
Bade airy nothing breathe and blest his pow'r,
Satst with illumin'd head,
And, in sublime accord,
Sev'n sprightly notes, to hail th' auspicious hour,
Ledst from their secret bow'r :
They drank the air ; they came
With many a sparkling glance,
And knit the mazy dance,
Like yon bright orbs, that gird the solar flame,
Now parted, now combin'd,
Clear as thy speech and various as thy mind.

Young Passions at the fount
In shadowy forms arose,
O'er hearts, yet uncreated, fure to reign ;
Joy, that o'erleaps all bound,
Grief, that in silence grows,
Hope, that with honey blends the cup of pain,
Pale Fear, and stern Disdain,
Grim Wrath's avenging band,
Love, nurs'd in dimple smooth,

That ev'ry pang can soothe ;
 But, when soft Pity her meek trembling hand
 Stretch'd, like a new-born girl,
 Each sigh was music, and each tear a pearl.

Thee her great parent owns
 All-ruling Eloquence,
 That, like full GANGA, pours her stream divine
 Alarming states and thrones :
 To fix the flying sense
 Of words, thy daughters, by the varied line
 (Stupendous art!) was Thine ;
 Thine, with pointed reed
 To give primeval Truth
 Th' unfading bloom of youth,
 And paint on deathless leaves high Virtue's meed :
 Fair Science, heav'n-born child,
 And playful Fancy on thy bosom smil'd.

Who bids the fretted *Vene*
 Start from his deep repose,
 And wakes to melody the quiv'ring frame ?
 What youth with godlike mien
 O'er his bright shoulder throws
 The verdant gourd, that swells with struggling flame ?
 NA'RED, immortal name !
 He, like his potent Sire,
 Creative spreads around
 The mighty world of sound,
 And calls from speaking wood ethereal fire ;
 While to th' accordant strings
 Of boundless heav'ns and heav'nly deeds he sings.

But

But look! the jocund hours
 A lovelier scene display,
 Young HINDOL sportive in his golden swing
 High-canopied with flow'rs;
 While *Rágný's* ever gay
 Toss the light cordage, and in cadence sing
 The sweet return of Spring:
 Here dark *Viráwer* stands;
 There *Rámcarý* divine
 And fawn-eyed *Lelit* shine;
 But stern *Daysásha* leads her warring bands,
 And flow in ebon clouds
Petmenjary her fading beauty shrouds.

Ah! where has DEIPEC veil'd
 His flame-encircled head?
 Where flow his lays too sweet for mortal ears?
 O lofs how long bewail'd!
 Is yellow *Cámód* fled?
 And blythe *Cárnáty* vaunting o'er her peers?
 Where stream *Caydára's* tears
 Intent on scenes above,
 A beauteous anchorite?
 No more shall *Daysa* bright
 With gentle numbers call her tardy love?
 Has *Netta*, martial maid,
 Lock'd in sad slumbers her fky-temper'd blade?

Once, when the vernal noon
 Blaz'd with resistless glare,
 The Sun's eye sparkled, and a God was born:
 He smil'd; but vanish'd soon——

Then

Then groan'd the northern air ;
 The clouds, in thunder mutt'ring fullen scorn,
 Delug'd the thirsty corn.
 But, earth-born artist, hold !
 If e'er thy soaring lyre
 To *Deipec's* notes aspire,
 Thy strings, thy bow'r, thy breast with rapture bold,
 Red lightning shall consume ;
 Nor can thy sweetest song avert the doom.

See sky-form'd *MAVGH* descend
 In fertilising rain,
 Whilst in his hand a falchion gleams unsheath'd !
 Soft nymphs his car attend,
 And raise the golden grain,
 Their tresses dank with dusky spikenard wreath'd :
 (A sweeter gale ne'er breath'd)
Tenca with laughing eyes,
 And *Gujry's* bloomy cheek,
Melár with dimple fleck,
 On whose fair front two musky crescents rise :
 While *Dayscár* his rich neck
 And mild *Bhopály* with fresh jasmin deck.

Is that the King of Dread
 With ashy musing face,
 From whose moon-silver'd locks fam'd *GANGA* springs ?
 'Tis *BHAIRAN*, whose gay bed
 Five blushing damsels grace,
 And rouse old Autumn with immortal strings,
 Till ev'ry forest rings ;
Bengály lotos-crown'd,

Vairáty

Vairáty like the morn,
Sindvy with looks of scorn,
 And *Bhairavy*, her brow with *Champa's* bound ;
 But *Medhumádba's* eyes
 Speak love, and from her breast pomegranates rise.

Sing loud, ye lucid spheres ;
 Ye gales, more briskly play,
 And wake with harmony the drooping meads :
 The cooler season cheers
 Each bird, that panting lay,
 And *SIRY* bland his dancing bevy leads
 Hymning celestial deeds :
Marvá with robes like fire,
Vasant whose hair perfumes
 With musk its rich-eyed plumes,
Aśávery, whom list'ning asps admire,
Dhenáśry, flow'r of glades,
 And *Máśry*, whom the branching *Amra* shades.

MALCAUS apart reclines
 Bedeck'd with heav'n-strung pearls,
 Blue-mantled, wanton, drunk with youthful pride ;
 Nor with vain love repines,
 While softly-smiling girls
 Melt on his cheek or frolick by his side,
 And wintry winds deride ;
Shambháwty leads along
Cocabh with kerchief rent,
 And *Gáúry* wine-besprent,
 Warm *Guncary*, and *Toda* sweet in song,

Whom

Whom antelopes furround
With smooth tall necks, and quaff the streaming fount.

Nor deem these nuptial joys
With lovely fruit unblest :
No ; from each God an equal race proceeds,
From each eight blooming boys ;
Who, their high birth confess'd,
With infant lips gave breath to living reeds
In valleys, groves, and meads :
Mark how they bound and glance !
Some climb the vocal trees,
Some catch the sighing breeze,
Some, like new stars, with twinkling fands dance ;
Some the young *Shamma* snare,
Some warble wild, and some the burden bear.

These are thy wond'rous arts ;
Queen of the flowing speech,
Thence SERESWATY nam'd and VA'NY bright !
Oh, joy of mortal hearts,
Thy mystick wisdom teach ;
Expand thy leaves, and, with ethereal light,
Spangle the veil of night.
If LEPIT please thee more,
Or BRA'HMY, awful name,
Dread BRA'HMY's aid we claim,
And thirst, VA'CDE'VY, for thy balmy lore
Drawn from that rubied cave,
Where meek-ey'd pilgrims hail the triple wave.

A HYMN
TO
G A N G A'.

THE ARGUMENT.

THIS poem would be rather obscure without geographical notes; but a short introductory explanation will supply the place of them, and give less interruption to the reader.

We are obliged to a late illustrious *Chinese* monarch named CAN-HI', who directed an accurate survey to be made of *Pótyid* or (as it is called by the *Arabs*) *Tebbut*, for our knowledge, that a chain of mountains nearly parallel with *Imaus*, and called *Cantéjè* by the *Tartars*, forms a line of separation between the sources of two vast rivers; which, as we have abundant reason to believe, run at first in opposite directions, and, having finished a winding circuit of two thousand miles, meet a little below *Dhácà*, so as to inclose the richest and most beautiful peninsula on earth, in which the BRITISH nation, after a prosperous course of brilliant actions in peace and war, have now the principal fway. These rivers are *deified* in INDIA; that, which rises on the *western* edge of the mountain, being considered as the daughter of MAHA'-DEVVA or SIVA, and the other as the son of BRAHMA': their loves, wanderings, and nuptials are the chief subject of the following Ode, which is feigned to have been the work of a BRAHMEN, in an early age of HINDU antiquity, who, by a prophetic spirit, discerns the toleration and equity of the BRITISH government, and concludes with a prayer *for its peaceful duration under good laws well administered.*

After

After a general description of the *Ganges*, an account is given of her fabulous birth, like that of *Pallas*, from the forehead of *Siva*, the *Jupiter Tonans* and *Genitor* of the *Latins*; and the creation of her lover by an act of *Brahmà's* will is the subject of another stanza, in which his course is delineated through the country of *Pótyid*, by the name of *Sanpò*, or *Supreme Bliss*, where he passes near the fortrefs of *Rimbù*, the island of *Palté* or *Yambrò* (known to be the seat of a high priestess almost equally venerated with the Goddess *Bhawáni*) and *Trasbilhumbo* (as a *Pótya* or *Tebbutian* would pronounce it), or the sacred mansion of the *Lama* next in dignity to that of *Pótala*, who resides in a city, to the south of the *Sanpò*, which the *Italian* travellers write *Sgig-atzhè*, but which, according to the letters, ought rather to be written in a manner, that would appear still more barbarous in our orthography. The *Brahmaputra* is not mentioned again till the *twelfth* stanza, where his progress is traced, by very probable conjecture, through *Rangamāti*, the ancient *Rangamriticà* or *Rangamar*, celebrated for the finest spikenard, and *Sríhàt* or *Siret*, the *Serrata* of *Elia*, whence the fragrant essence extracted from the *Malobathrum*, called *Sádah* by the *Persians*, and *Téjapátra* by the *Indians*, was carried by the *Persian* gulf to *Syria*, and from that coast into *Greece* and *Italy*. It is not, however, positively certain, that the *Brahmaputra* rises as it is here described: two great geographers are decidedly of opposite opinions on this very point; nor is it impossible that the *Indian* river may be one arm of the *Sanpò*, and the *Nau-cyan*, another; diverging from the mountains of *Ashám*, after they have been enriched by many rivers from the rocks of *China*.

The *fourth* and *fifth* stanzas represent the Goddess obstructed in her passage to the west by the hills of *Emodi*, so called from a *Sanscrit* word signifying *snow*, from which also are derived both *Imaus* and *Himálaya* or *Himola*. The *sixth* describes her, after her entrance into *Hindústan* through the straits of *Cúpala*, flowing near *Sambal*, the *Sambalaca* of *Ptolemy*, famed for a beautiful plant of the like name, and thence to the once opulent city and royal place of residence, *Cányacuvja*, erroneously named *Calinipaxa* by the *Greeks*, and *Canauj*, not very accurately, by the modern *Asiaticks*: here she is joined by the *Calinadi*, and pursues her course to *Prayága*, whence the people of *Bahár* were named *Prafi*, and where the *Yamunà*, having received the *Se-reswati*

reswati below *Indraprestha* or *Dehli*, and watered the poetical ground of *Mat'hurà* and *Agarà*, mingles her noble stream with the *Gangà* close to the modern fort of *Ilahábàd*. This place is considered as the confluence of *three* sacred rivers, and known by the name of *Trivéní*, or the *three plaited locks*; from which a number of pilgrims, who there begin the ceremonies to be completed at *Gayà*, are continually bringing vases of water, which they preserve with superstitious veneration, and are greeted by all the *Hindus*, who meet them on their return.

Six of the principal rivers, which bring their tribute to the *Ganges*, are next enumerated, and are succinctly described from real properties: thus the *Gandac*, which the *Greeks* knew by a similar name, abounds, according to *Giorgi*, with *crocodiles* of enormous magnitude; and the *Mahanadi* runs by the plain of *Gaura*, once a populous district with a magnificent capital, from which the *Bengalese* were probably called *Gangaridæ*, but now the seat of desolation, and the haunt of wild beasts. From *Prayága* she hastens to *Cási*, or as the *Muslimans* name it, *Benáres*; and here occasion is taken to condemn the cruel and intolerant spirit of the crafty tyrant *AURANGZÍB*, whom the *Hindus* of *Cashmir* call *Aurangásúr*, or the *Demon*, not the *Ornament*, of the *Throne*. She next bathes the skirts of *Pátaliputra*, changed into *Patna*, which, both in situation and name, agrees better on the whole with the ancient *Palibothra*, than either *Prayága*, or *Cányacuvja*: if *Megasthenes* and the ambassadors of *Seleucus* visited the last-named city, and called it *Palibothra*, they were palpably mistaken. After this are introduced the beautiful hill of *Muñtigiri*, or *Mengir*, and the wonderful pool of *Sítá*, which takes its name from the wife of *Ráma*, whose conquest of *Sinhaldwíp*, or *Sílàn*, and victory over the giant *Ráwan*, are celebrated by the immortal *Válmíci*, and by other epick poets of *India*.

The pleasant hills of *Cáligràm* and *Gangá-presàd* are then introduced, and give occasion to deplore and extol the late excellent *AUGUSTUS CLEVELAND*, Esq. who nearly completed by lenity the glorious work, which severity could not have accomplished, of civilizing a ferocious race of *Indians*, whose mountains were formerly, perhaps, a rocky island, or washed at least by that sea, from which the fertile champaign of *Bengal* has been gained in a course of

ages. The western arm of the *Ganges* is called *Bhágirathì*, from a poetical fable of a demigod or holy man, named *Bhágirat'ha*, whose devotion had obtained from *Siva* the privilege of leading after him a great part of the heavenly water, and who drew it accordingly in two branches; which embrace the fine island, now denominated from *Kásimbázár*, and famed for the defeat of the monster *Sirájuddaulah*, and, having met near the venerable *Hindu* seminary of *Nawadwíp* or *Nediyá*, flow in a copious stream by the several *European* settlements, and reach the Bay at an island which assumes the name of *Ságar*, either from the *Sea* or from an ancient Raja of distinguished piety. The *Sundarabans* or *Beautiful Woods*, an appellation to which they are justly entitled, are incidentally mentioned, as lying between the *Bhágirat'hì* and the *Great River*, or *Eastern* arm, which, by its junction with the *Brahmáputra*, forms many considerable islands; one of which, as well as a town near the conflux, derives its name from *Lacshmi*, the Goddess of Abundance.

It will soon be perceived, that the *form* of the stanza, which is partly borrowed from *GRAY*, and to which he was probably partial, as he uses it *six* times in *nine*, is enlarged in the following Hymn by a line of *fourteen* syllables, expressing the long and solemn march of the great *Asiatick* rivers.

THE

THE HYMN.

How sweetly GANGA' smiles, and glides
Luxuriant o'er her broad autumnal bed!
Her waves perpetual verdure spread,
Whilst health and plenty deck her golden sides:
As when an eagle, child of light,
On *Cambala's* unmeasur'd height,
By *Pótala*, the pontiff's throne rever'd,
O'er her eyry proudly rear'd
Sits brooding, and her plumage vast expands,
Thus GANGA' o'er her cherish'd lands,
To *Brahmà's* grateful race endear'd,
Throws wide her fost'ring arms, and on her banks divine
Sees temples, groves, and glitt'ring tow'rs, that in her crystal shine.

Above the stretch of mortal ken,
On blest'd *Cailása's* top, where ev'ry stem
Glow'd with a vegetable gem,
MAHE'SA stood, the dread and joy of men;
While *Párvatì*, to gain a boon,
Fix'd on his locks a beamy moon,
And hid his frontal eye, in jocund play,
With reluctant sweet delay:
All nature straight was lock'd in dim eclipse
Till *Bráhmans* pure, with hallow'd lips
And warbled pray'rs restor'd the day;

When

When GANGA' from his brow by heav'nly fingers press'd
Sprang radiant, and descending grac'd the caverns of the west.

The sun's car blaz'd, and laugh'd the morn;
What time near proud *Cantéfa's* eastern bow'rs,
(While *Dévatà's* rain'd living flow'rs)
A river-god, so *Brahma* will'd, was born,
And roll'd mature his vivid stream
Impetuous with celestial gleam:
The charms of GANGA', through all worlds proclaim'd,
Soon his youthful breast inflam'd,
But destiny the bridal hour delay'd;
Then, distant from the west'ring maid,
He flow'd, now blissful *Sanpè* nam'd,
By *Paltè* crown'd with hills, bold *Rimbu's* tow'ring state,
And where sage *Trafhilmumbo* hails her *Lama's* form reneate.

But she, whose mind, at *Siva's* nod,
The picture of that sov'reign youth had seen,
With graceful port and warlike mien,
In arms and vesture like his parent God,
Smit with the bright idea rush'd,
And from her sacred mansion gush'd,
Yet ah! with erring step—The western hills
Pride, not pious ardour, fills:
In fierce confed'racy the giant bands
Advance with venom-darting hands,
Fed by their own malignant rills;
Nor could her placid grace their savage fury quell:
The madding rifts and should'ring crags her foamy flood repell.

“ Confusion

" Confusion wild and anxious wo
" Haunt your waste brow, she said, unholy rocks,
" Far from these nectar-dropping locks!
" But thou, lov'd Father, teach my waves to flow."
Loud thunder her high birth confess'd;
Then from th' inhospitable west
She turn'd, and, gliding o'er a lovelier plain,
Cheer'd the pearled East again:
Through groves of nard she roll'd, o'er spicy reeds,
Through golden vales and em'rald meads;
Till, pleas'd with INDRA's fair domain,
She won through yielding marl her heav'n-directed way:
With lengthen'd notes her eddies curl'd, and pour'd a blaze of day.

Smoothly by *Sambal's* flaunting bow'rs,
Smoothly she flows, where *Calinadi* brings
To *Cányacuvja*, feat of kings,
On prostrate waves her tributary flow'rs;
Whilst *Yamunà*, whose waters clear
Fam'd *Indraprestha's* vallies cheer,
With *Sereswati* knit in mystick chain,
Gurges o'er the vocal plain
Of *Mathurà*, by sweet *Brindávan's* grove,
Where *Gópa's* love-lorn daughters rove,
And hurls her azure stream amain,
Till blest *Prayága's* point beholds three mingling tides,
Where pilgrims on the far-sought bank drink nectar, as it glides.

From *Himola's* perennial snow,
And southern *Palamau's* less daring steep,
Sonorous rivers, bright though deep,
O'er thirsty deserts youth and freshness throw.

' A goddess

' A goddess comes,' cried *Gumti* chaste,
 And roll'd her flood with zealous haste :
 Her follow'd *Sona* with pellucid wave
 Dancing from her diamond cave,
 Broad *Gogra*, rushing swift from northern hills,
 Red *Gandac*, drawn by crocodiles,
 (Herds, drink not there, nor, herdsmen, lave !)
Cofa, whose bounteous hand *Népálian* odour flings,
 And *Mahanadi* laughing wild at cities, thrones, and kings.

Thy temples, CA'SI', next she fought,
 And verd'rous plains by tepid breezes fann'd,
 Where health extends her pinions bland,
 Thy groves, were pious *Válmic* fat and thought,
 Where *Vyása* pour'd the strain sublime,
 That laughs at all-consuming time,
 And *Bráhmans* rapt the lofty *Véda* sing.
 Cease, oh ! cease—a ruffian king,
 The demon of his empire, not the grace,
 His ruthless bandits bids deface
 The shrines, whence gifts ethereal spring :
 So shall his frantick sons with discord rend his throne,
 And his fair-smiling realms be sway'd by nations yet unknown.

Less hallow'd scenes her course prolong ;
 But *Cáma*, restless pow'r, forbids delay :
 To Love all virtues homage pay,
 E'en stern religion yields. How full, how strong
 Her trembling panting surges run,
 Where *Pátali*'s immortal son
 To domes and turrets gives his awful name
 Fragrant in the gales of fame !

Not

Nor stop, where RA'MA, bright from dire alarms,
Sinks in chaste *Sitā*'s constant arms,
While bards his wars and truth proclaim :
There from a fiery cave the bubbling crystal flows,
And *Muṭṭigir*, delightful hill, with mirth and beauty glows.

Oh ! rising bow'rs, great *Cālī*'s boast,
And thou, from *Gangā* nam'd, enchanting mount,
What voice your wailings can recount
Borne by shrill echoes o'er each howling coast,
When He, who bade your forests bloom,
Shall seal his eyes in iron gloom ?
Exalted youth ! The godless mountaineer,
Roaming round his thickets drear,
Whom rigour fir'd, nor legions could appall,
I see before thy mildness fall,
Thy wisdom love, thy justice fear :
A race, whom rapine nurs'd, whom gory murder stains,
Thy fair example wins to peace, to gentle virtue trains.

But mark, where old *Bhāgīrath* leads
(This boon his pray'rs of *Mahādēv* obtain :
Grace more distinguish'd who could gain ?)
Her calmer current o'er his western meads,
Which trips the fertile plains along,
Where vengeance waits th' oppressor's wrong ;
Then girds, fair *Nawadwīp*, thy shaded cells,
Where the *Pendit* musing dwells ;
Thence by th' abode of arts and commerce glides,
Till *Sāgar* breasts the bitter tides :
While She, whom struggling passion swells,

Beyond

Beyond the labyrinth green, where pards by moonlight prowl,
With rapture seeks her destin'd lord, and pours her mighty soul.

Meanwhile o'er *Pótyid*'s musky dales,
Gay *Rangamar*, where sweetest spikenard blooms,
And *Siret*, fam'd for strong perfumes,
That, flung from shining tresses, lull the gales,
Wild *Brabmaputra* winding flows,
And murmurs hoarse his am'rous woes ;
Then, charming GANGA' seen, the heav'nly boy
Rushes with tumultuous joy :
(Can aught but Love to men or Gods be sweet ?)
When she, the long-lost youth to greet,
Darts, not as earth-born lovers toy,
But blending her fierce waves, and teeming verdant isles ;
While buxom *Lacshmi* crowns their bed, and sounding ocean smiles.

What name, sweet bride, will best allure
Thy sacred ear, and give thee honour due ?
Vishnupadi ? Mild *Bhishmasu* ?
Smooth *Suranimnaga* ? *Trisrotà* pure ?
By that I call ? Its pow'r confess ;
With growing gifts thy suppliants bless,
Who with full sails in many a light-oar'd boat
On thy jasper bosom float ;
Nor frown, dread Goddess, on a peerless race
With lib'ral heart and martial grace,
Wafted from colder isles remote :
As they preserve our laws, and bid our terror cease,
So be their darling laws preserv'd in wealth, in joy, in peace !

THE
FIRST NEMEAN ODE
OF
PINDAR.

I. 1.

CALM breathing-place of ALPHEUS dread,
ORTYGIA, *graceful* branch of SYRACUSE renown'd,
Young DIANA's *rosy* bed,
Sister of DELOS, thee, with sweet, *yet lofty*, sound
Bursting numbers call, to raise
Of tempest-footed steeds the trophies glorious
(Thus ETNEAN JOVE we praise);
While CHROMIUS' car invites, and NEMEA's plain,
For *noble* acts victorious
To weave th' encomiastick strain.

I. 2.

From *prosp'ring* Gods the song begins;
Next hails that godlike man and virtue's holy meeds:
He the flow'r of greatness wins,
Whom smiling fortune crowns; and vast heroick deeds

Ev'ry muse delights to sing.
 Now wake to that *fair* isle the splendid story,
 Which the *great* OLYMPIAN king,
 JOVE, gave to PROSERPINE, and wav'd his locks
 Vowing, that, supreme in glory,
 Fam'd for sweet fruits and *nymph-lov'd* rocks,

I. 3.

SICILIA's full nutritious breast
 With tow'r'd and wealthy cities he would crown.
 Her the son of SATURN blest'd
 With suitors brazen-arm'd for war's renown
 By lance and fiery steed; yet oft thy leaves,
 OLYMPICK olive, bind their hair
 In wreathy gold. Great subjects I prepare;
 But none th' immortal verse deceives.

II. 1.

Oft in the portals was I plac'd
 Of that guest-loving man, and pour'd the dulcet strain,
 Where becoming dainties grac'd
 His hospitable board; for ne'er with efforts vain
 Strangers to his mansion came:
 And thus the virtuous, when detraction rages,
 Quench with lib'ral streams her flame.
 Let each in virtue's path right onward press,
 As each his art engages,
 And, urg'd by genius, win success.

II. 2.

Laborious action Strength applies,
 And wary conduct, Sense: the future to foresee

Nature

Nature gives to few, the wife.
 AGESIDAMUS' son, she frankly gave to thee
 Pow'rful might and wisdom deep.
 I seek not in dark cells the hoarded treasure
Grov'ling with low care to keep,
 But, as wealth flows, to spread it ; and to hear
 Loud fame, with ample measure
 Cheering my friends, since hope and fear

II. 3.

Affail disastrous men. The praise
 Of HERCULES with rapture I embrace :
 On the heights, which virtues raise,
 The rapid legend old his name shall place ;
 For, when he *brook'd no more the cheerless gloom,*
And burst into the blaze of day,
 The child of JOVE with his twin-brother lay,
Refulgent from the sacred womb.

III. 1.

Not unobserv'd the godlike boy
 By JUNO golden-thron'd the saffron cradle press'd ;
 Straight heav'n's queen with furious joy
 Bade *hideous* dragons fleet th' *unguarded* floor infest :
 They, the portals op'ning wide,
 Roll'd through the chamber's broad recess *tremendous,*
 And in jaws *fire-darting* tried
 The slumb'ring babe to close. He, *starting light,*
 Rear'd his *bold* head *stupendous,*
 And first in battle prov'd his might.

III.

III. 2.

With both resistless hands he clasp'd
 Both *struggling horrid* pests, and cloth'd their necks with death ;
 They expiring, as he grasp'd,
 Pour'd from their throats compress'd the foul envenom'd breath.
 Horror seiz'd the female train,
 Who near ALCMENA'S *genial* couch attended :
 She, from agonizing pain
 Yet weak, *unsandal'd and* unmantled rush'd,
 And her lov'd charge defended,
 Whilst he the *fiery* monsters crush'd.

III. 3.

Swift the CADMEAN leaders ran
 In brazen mail precipitately bold :
 First AMPHITRYON, dauntless man,
 Bar'd his rais'd falchion from its sheathing gold,
 While griding anguish pierc'd his *flutt'ring* breast ;
 For private woes most keenly bite
 Self-loving man ; but soon the heart is light,
 With sorrow, not its own, oppress'd.

IV. 1.

Standing in deep amazement wild
 With rapt'rous pleasure mix'd, he saw th' enormous force,
 Saw the valour of his child :
 And fated heralds prompt, as heav'n had shap'd their course,
 Wafted round the varied tale ;
 Then call'd he from high JOVE'S contiguous region,
 Him, whose warnings never fail,
 TIRESIAS *blind*, who told, in diction sage,

The

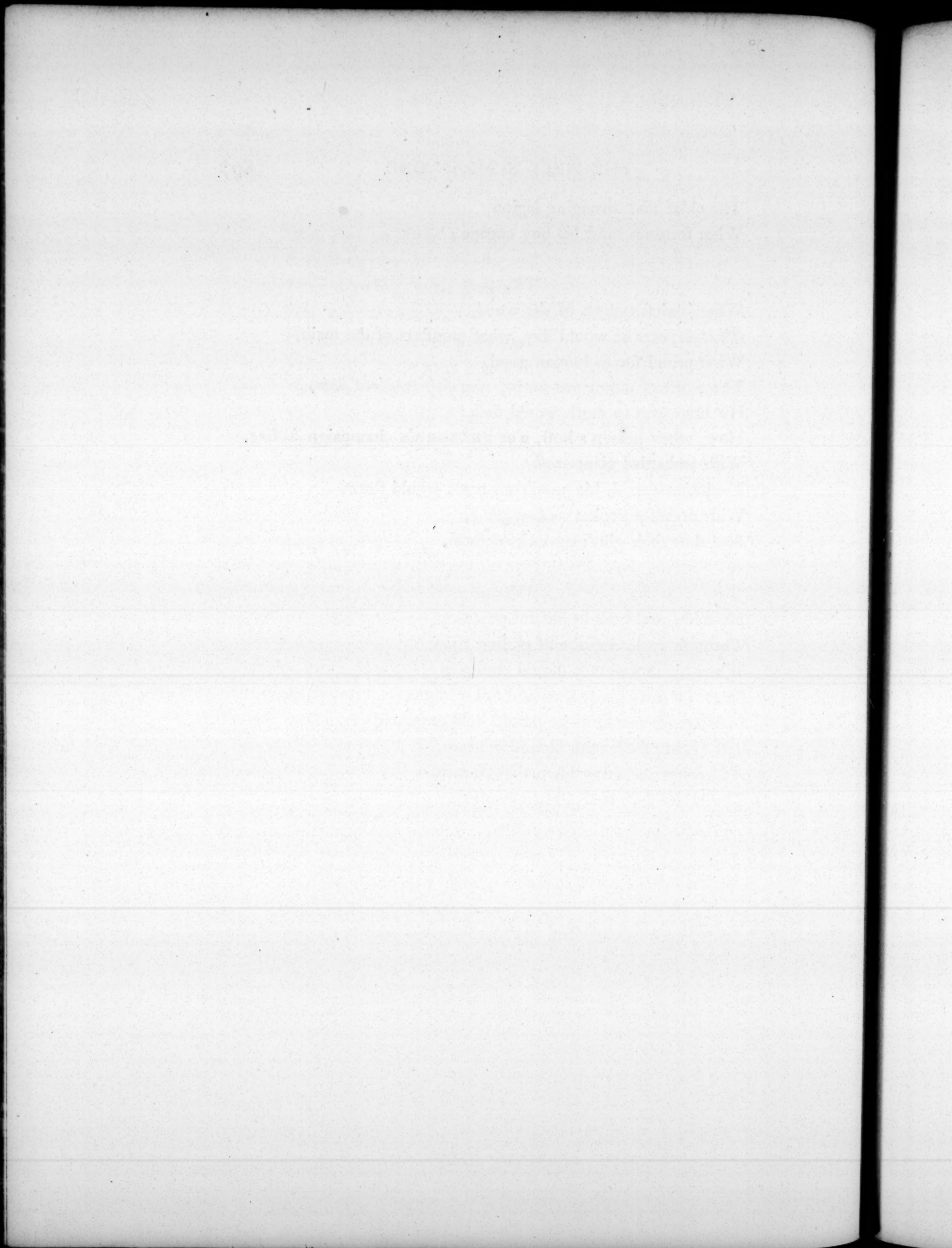
The chief and thronging legion
What fortunes must his boy engage ;

IV. 2.

What lawless tyrants of the wood,
What serpents he would slay, what monsters of the main,
What proud foe to human good,
The worst of monstrous forms, *that holy manhood stain*,
His huge arm to death would dash :
How, when heav'n's host, o'er PHLEGRA'S campaign *hasting*,
With embattled giants *raſh*
Vindictive warr'd, his pond'rous mace would storm
With dreadful strokes *wide-waſting*,
And duſt their glitt'ring locks deform,

IV. 3.

He told ; and how in bliſſful peace
Through cycles infinite of gliding time,
When his mortal task ſhould ceaſe,
Sweet prize of perils hard and toil ſublime,
In gorgeous manſions he ſhould hold entranc'd
Soft HEBE, freſh with blooming grace,
And crown, exalting his majeſtick race,
The bridal feaſt near JOVE advanc'd.



AN
EXTRACT
FROM THE
BHUSHANDA' RAMAYAN.

THE beautiful and lofty mountain, called NEIL, *or azure*, has a pointed summit of pure gold: the holy trees, *Peipel*, *Ber*, and *Pacr*, flourish on its brow; and its top is crowned with a pool of water shining like diamonds of exquisite brilliancy: clear, fresh, and sweet streams, displaying a rich variety of colours, flow from all sides of it; and thousands of birds warble rapturous lays among the sacred branches. Here the Crow BHU'SHANDA', who had been adorned with many virtues, and disgraced by many vices, who had lived in every part of the universe, and knew all events from the beginning of time, had fixed his abode. Under the *Peipel*, he meditated on the divinity: under the *Pacr* he poured forth invocations: under the shade of the *Ber* he chanted the story of VISHN; to hear which the feathered inhabitants of woods and of waters assembled around him; and even MAHADAYO, in the form of the *large white-plumed* MARA'L, perched on a bough, was delighted with listening to the adventures of the all-good and all-powerful RA'M.

To

To this mountain the sage Eagle GERHUR, essence of all amiable qualities who stands near *Viṣṇu* himself, and is ridden by that stupendous God, hastily took his flight, and was relieved, on beholding it from the cares, which before oppressed him : he bathed his pinions in the pool, and refreshed his beak with a draught of the hallowed water. Just as *Bhūṣhanda* was opening his divine history, the king of air appeared in his presence : the winged assembly paid him respectful homage, saluted him with solemn expressions of reverence, and then, addressing him with sweet words of affection, placed him on a seat becoming his high dignity.

“ Monarch of birds, began the Crow, the sight of thee transports me
“ with joy, signify to me thy commands ; and inform me what induce-
“ ment has brought thee to the mansion of thy servant.”

“ Brother, answered *Gerúr*, the purpose of my visit was in part an-
“ swered by my first view of thy charming retreat ; and the doubts, which
“ thou alone couldst have removed from this breast, are now almost wholly
“ dispersed : but listen to my recital.

“ When the son of RA'WAN, the giant, with a thousand arms, had
“ bound *Rám* with a snake discharged from his bow, NARED commis-
“ sioned me to disentangle the celestial warrior ; and the commission
“ was executed with faithful dispatch : but pride arose in my heart ; and
“ considering that even mortals are exempt through devotion, from the
“ shackles of terror, I concluded that, if *Rám* had in truth been a deity of
“ boundless power, he could never have been made captive by the fold
“ of a reptile. All night was I disturbed by these embarrassing reflexions ;
“ and my arrogance, as the deliverer of a god, attained such a height, that
“ my reason had nearly forsaken me : I retained, however, sense enough
“ to seek a solution of my doubts ; and, hastening to my wife employer
“ *Náred*, laid open to him the secret of my bosom.

Thou

"Thou art fallen, said the son of BREHMA', with a compassionate aspect, into the snares of passion, from which the most virtuous, when they fail to exert their understandings, cannot be secure: that appearance, by which thou hast been caught, was only the MA'YA', or deception of Vishn, which has often deluded even me. To give thee perfect relief, exceeds my power: go to the palace of my father, and implicitly follow his directions.

"With all imaginable swiftness I flew to the heaven of *Brehmá*, giving praises to my lord and rider *Vishn*, and explained to the benign God, the grounds of my perplexity. The Creator stood awhile in silence, reflecting on the glories of *Rám*, and the force of his illusions; then, leaving his meditation, *It is no wonder*, said he, *that thou hast been deceived by a power, from which I, at the very time of the creation, was not exempt. RA'M has tried thee by a delusive appearance; and, when thou hadst untwisted the living chain, which entangled him, thou satst all night elated with pride, and contemplating thy own prowess.* Hasten, therefore, to the palace of MAHA'DAYO, than whom no deity better knows the supremacy of RA'M: he will dissipate thy sorrows.

"His words were instantly followed by my flight towards *Caillás*, but I met the destroying power near the mansion of COBAYR, the wealthy genius of the north. Having listened benignantly to my narrative, he thus instructed me: 'Thou art under the influence of a strong passion, from which no discourse of mine can so soon relieve thee, as the conversation of religious persons, and serious attention to the history of *Vishn*, related by pious *Munys* in sweet accents. Without conversing with the religious, the noble deeds of the preserving power cannot be known; without that knowledge, the passions cannot be conquered; without that conquest, true devotion cannot be acquired; and without that acquisition, whatever sacrifices may be performed, or ceremonies observed, God will never be seen by man. Fly, O *Gerúr*, to the regions of the west, and piously attend, with birds of inferior wing, to

“ the achievements of *Rám* ; as they will be related by the wise habitant
 “ of the azure mountain, the virtuous *Bhúṣandá* : the relation will subdue
 “ thy passion, and wholly dispel thy sorrows. Expect not a remedy
 “ from me ; since thou hast entertained proud thoughts concerning *Rám*,
 “ by whom I have been highly favoured : besides, one bird will convey
 “ instruction more effectually to another bird in their common dialect.’

“ Not a moment was lost by me in seeking thy delightful abode ; and
 “ the sight of it almost entirely destroyed my pride with its bitter, but
 “ certain, fruit, affliction. Complete my recovery, beloved brother, by
 “ reciting the sacred story of *Rám*.”

The devout *Bhúṣandá* complied immediately with his request ; and having pronounced an eulogium on the incarnate God, began with an account of his *Avatar*, or *Descent* ; and then related the adventures of his childhood, the actions of his youth, and the circumstances of his marriage with *SEI'TA'*. He next informed the attentive eagle, how the machinations of *B'HA'RT*, the half-brother of *Rám*, and of *CAYCAI'*, his step-mother, induced king *JESRET*, his father, to send him into the woods, while the whole nation in agony mourned his loss ; how *LECH'HMEN*, his affectionate brother, insisted on accompanying him in exile ; how they meditated on Providence in a great forest, and afterwards passed the *Ganga* to preach lessons of devotion in populous towns : he proceeded to the death of the old *Rájá*, the penitence of *B'hárt*, and his journey in pursuit of *Rám*, who, after long and earnest solicitation, returned to *Ayodhya*, where he lived with the splendour of a divinity : he told, how *Rám* again retired among the thickets, and there gave instructions to hermits and reverend *Munys* ; how *Lech'hmen* was provoked to disfigure a giantess, and slay two giants, the sister and kinsmen of *Ráwan* ; how that imperious demon violently seized the incomparable *Seítá*, and bore her captive to the place of his tyrannous empire, the isle of *LANCA'* ; how *Rám*, afflicted to excess, passed the whole rainy season upon a
 mountain,

mountain, having contracted a friendship with the race of *Apes*, and appointed their chief, HENU MAN, son of the wind, to the command of his new-raised army; how they discovered the bower of *Ajoca's**, in which *Seitá* was confined; how a vast bridge was erected by them over the sea, from which *Henúman* leaped into the island, consoled the faithful *Seitá*, and set fire to the gardens of *Ráwan*; who, in a desperate engagement, was routed and slain by *Rám*; lastly, how the divine conqueror revisited his country, restored to joy its disconsolate inhabitants, conferred high honours on the learned Bráhmens, treated his preceptor BA'SISHT with such reverence, that he drank the water in which he had washed the feet of the *Muny*, and instructed the humble *B'hárt* in celestial knowledge; how the *Ránys* and highborn damsels, having bathed the lovely *Seitá*, decorated her with inestimable jewels, and offered her holy curds in golden basons, crowned with branches of *Tulsy*; how the princes of the apes, and other warlike beasts, assumed the most beautiful human forms; how men of all ranks, who flocked to the palace, forgetting their homes, as the pious forget their enemies, concurred in singing the praises of their king, while the gods rained flowers from heaven on the delighted assembly.

“The festivals and entertainments,” added the crow, on his receiving the sacred mark of vermilion, and ascending the throne with *Seitá*, “thou
 “sawst, O monarch of the air, and wast enraptured with devout joy; for
 “*Brahma*, *Mahádaya*, *Náred*, and other deities, attended them; nor
 “wouldst thou be absent on so signal an occasion. During this reign,
 “no terrors alarmed, or sorrows rent, the bosoms of his votaries; all was
 “love, piety, concord; the name of vice was unknown or unheard;
 “none were then infirm, none ignorant, none distressed; sweet and sa-
 “lutary liquors flowed from every tree; perpetual blossoms laughed on
 “the stalks, and perpetual fruit hung glittering from the branches; a
 “cool placid gale blew without ceasing; the birds charmed each forest

* Jonesia of Doctor Roxburgh.

“with

“with æreal melody; and animals, the most opposite in their kinds,
 “lived together, like the venerable cow with her own calf, in perfect
 “amity, and even tenderness. Such were the blessings derived by
 “mankind from *Rám*, whose presence rendered the *silver* age equal in
 “virtue and happiness to that of *gold*.”

As soon as *Busunda* had concluded his narration: “O adorable *Rám*,”
 exclaimed the eagle, “I revere thee for thy power, and love thee for
 “thy goodness! Hadst thou not been pleased to raise doubts in my mind,
 “and, by thy divine *Máyá*, to beguile me into the sin of pride, how
 “should I have been directed to this noble mountain? How should I
 “have heard the recital of thy glorious actions? How should the ardent
 “love of thee have been kindled in my bosom?”

“Me too,” said the crow, “has *Rám* exalted, by procuring me the ho-
 “nour of being thus consulted by the sovereign of birds. To thee his
 “affection has been signally manifested; and thou mayest now cease
 “to wonder, that the most eminent among the deities, and the most
 “virtuous *Rishys*, have fallen under the dominion of the passions.
 “What being exists, but God, who was never seduced by the love of
 “wealth; whom nothing has provoked to wrath, or stimulated to ven-
 “geance; whom the pleasures of youth have not allured, nor female
 “beauty smitten with the shafts of large and languishing eyes? Who
 “can boast of a constant exemption from groundless terrors and unavail-
 “ing grief? Whose fame has never been blemished by pride? Whom
 “has ambition never captivated with false views of greatness? All these
 “temptations and blandishments are the daughters of *Máyá*, with whose
 “fascinations, diffused over the world, *Vishn* deludes all creatures for
 “their ultimate advantage. He is the being of beings, one substance
 “in three forms; without mode, without quality, without passion; im-
 “mense, incomprehensible, infinite, indivisible, immutable, incorporeal,
 “irresistible: His operations no mind can conceive; and his will moves

“all

“ all the inhabitants of the universe, as puppets are moved by strings.
“ The pious, whom he loves, as a mother loves her only infant, rejoice
“ in his government, and exult in his glory; while the irreligious, who
“ are proud, ignorant, captious, and madly impute to *Rám* the conse-
“ quences of their own stupidity, vainly afflict themselves, and view all
“ objects in false colours; as they, whose eyes are inflamed, suppose the
“ moon also to be red: their folly would make them believe, that the
“ sun rises in the west, and their fears agitate them, like small barques
“ tossed by the waves. Were the firmament illumined by sixteen moons,
“ yet, if no sun rose, the stars would not disappear: thus, without reli-
“ gion and humility, vice and error cannot be dispersed. As an illustra-
“ tion of these truths, hear, O *Gerúr*, the story of my life; and mark the
“ sad effects of my sin.

“ When *Rám* was born in *Audh*, I repaired eagerly to his birthplace,
“ attended him five years with assiduity, contemplating his beautiful fea-
“ tures, and receiving happiness from the sparkles of his eye. He used
“ to laugh when I approached him, and when I departed, to weep:
“ sometimes he tried to seize me by the feet, and shed tears if I flew out
“ of his reach. *Can this*, I thought, *can this be the ruler of the universe?*
“ Thus was I entangled by his illusion, and my mind was perplexed
“ with doubts; I became sad and pensive; but the divine infant laughed
“ at my distress. One day, he ran suddenly to catch me; but seeing his
“ body black and his feet ruddy, I took my flight aloft with inexpressible
“ agitation: he stretched out his arm, and how high soever I flew, the
“ same arm pursued me at an equal distance. As soon as I reached the
“ heaven of *Brahma*, I looked back, and still saw behind me the arm of
“ *Viṣṇu*; amazed and stupefied, I closed my eyes in a trance, and found
“ myself, when I opened them, near the city of *Ayodhya*.

“ On my return to the palace of *Jesret*, I renewed my homage to *Rám*;
“ but he made a sport of my confusion, which was so great, that, as he
“ laughed,

“ laughed, I flew into his mouth : there I saw myriads of heavens infinitely splendid, myriads of *Brahma*’s and *Mahadayo*’s, myriads of suns, moons, and stars, gods and goddesses, *Rájá*’s and *Rány*’s, and gazed beneath me on this vast earth, girt with multitudinous seas, veined with rivers, clothed with forests, and peopled with numberless animals. An hundred complete years I dwelled in each heaven ; and traversing them all, was dazzled with their endless and unutterable glories ; but, whithersoever I shaped my course, I beheld ONE only, *Rám*, the same lovely infant, whose idea was impressed indelibly on my mind.

“ Having spent a wonderful period of revolving ages in this ethereal jaunt, I returned to my own habitation ; where I heard, that *Rám* was become incarnate, and, hastening to the place of his birth, I enjoyed the rapture of beholding him : yet was my heart still agitated by a storm of passions, and a thousand cares arose in my breast. *Rám*, knowing what anxiety his deceptions had produced, again laughed, and I flew out of his mouth into open air. On finding that I had rambled over so many worlds, and seen so many wonders in so few minutes, and on considering the power of the divine spirit, I fell breathless to the ground : at length : ‘ Have pity, said I, have pity on me ; and cease, O thou, who rewardest the devout ! cease to delude and grieve thy humiliated votary.’ The deity then perceiving my unfeigned anguish, suspended the influence of his *Maia*, placed his hands with gentleness on my head, relieved at once my solicitude ; and, having mildly heard a fervent effusion, which I pronounced with weeping eyes, commanded me to ask for whatever I most desired : I asked for true piety towards him ; and he gave it with gracious praise, added to heavenly benedictions. Adore, therefore, and invoke perpetually that invisible being, who, having no shape, is described in the *Vayds* by a similitude, and compared to a bottomless ocean of innumerable virtues.”

“ How

“How salutary,” said *Gerúr*, “are the lessons of a spiritual instructor !
 “If a hundred *Brahmas* and a hundred *Mahadayas* had assisted me, I
 “should not have been so effectually relieved.”

After a long conversation between *Busund* and his penitent visitor, in which they reciprocally told their most interesting adventures, the crow discoursed more at large on the grandeur of *Rám*, and the blessings of the age, in which he appeared on earth. “Very different,” continued he, “will be the *Cal Yug*, or age of *impurity* ! Then shall priests, kings, and subjects, be wholly abandoned to vice ; neglecting holy rites, and the due observance of ranks ; not considering genuine piety, as the true, and invaluable gem, which all ought to seek : such as babble fastest will be dignified with the title of *Pendits* ; and such as relate most untruths, with the epithet of virtuous ; they who wear necklaces of beads, and the dress of *Gofains*, will be revered as observers of inspired scripture ; and they who suffer their nails to grow unpaired, and their hair uncut, or stand longest on one leg, holding the other in their hand, as devout *Senniyásys* : the low cast of *Shudrs* will have *Brábmens* for their disciples, and presume to wear the same cord ; while the *Brábmens* will be distinguished only by that mark, which they will be sure to display uncovered : they will be illiterate, covetous, luxurious, inobservant of rites, and resembling bulls without their tails ; dissipating the property, not the ignorance, or uneasiness, of their pupils ; and even parents will instruct their children in gluttony, not in religion. Then will *Rájás* be merciless, and profligate, putting *Brábmens* to death, and continually racking or amercing their subjects, numbers of whom will die through want, since famine will from time to time desolate whole provinces ; the clouds will shed no rain ; and the ground will yield no return for the grains it has received : yet, even in this debased age, the miserable race of men may be saved by affectionate devotion towards *Rám*, not appearing in external acts, but glowing in the recesses of the heart.”

“The

“ The disorders of that age,” said the eagle, “ will, indeed, be as terrible, as the remedy is delightful, and certain.”

“ Happy,” said *Bhusunda*, “ will be they, who faithfully apply it ; but the domination of pride is more or less absolute in every human breast : this abominable sin caused the many changes of my form, and my condemnation to a lonely residence among these rocks.

“ In a temple of *Mahádaya* I stood invoking his name, when the guide of my youth, my instructor in religious duties, entered it with true humility ; yet such was my arrogance, from a vain conceit of my own piety and knowledge, that I made him no salutation, and showed him no respect. He opened not his lips, nor was he moved to anger by my presumption ; but the God, whom we adored, bore it not so mildly, and in a tremendous voice from above, thundered against me a sentence of perpetual misery. This dreadful judgement threw my indulgent preceptor into an agony of grief ; his limbs trembled, his tongue faltered ; and casting himself on the earth, with clasped hands, he supplicated for a mitigation of my doom. Such benignity, and zeal, could not but appease the wrathful divinity, who spoke thus from the summit of *Cáilás* : ‘ Justice requires the chastisement of this proud mortal, but thy piety has procured a remission of its greatest pains. He shall suffer a thousand transmigrations, and in all of them shall exist without pleasure, but not without wisdom ; he shall be a constant adorer of *Viṣṇu*, and again shall assiduously invoke my name. This blessing, too, shall attend him : he shall be loved by all.’ On leaving my human shape by death, I was re-born in that of a serpent ; and in all my metamorphoses, continued to worship *Mahádaya*, by whose grace I left each body, as a man puts off his old vesture.

“ After many changes I became a *Bráhmen*, but the seeds of pride still
“ germinating

“germinating in my heart, I disliked the instructions of my father, and
 “retiring to the woods and mountains, meditated incessantly on the at-
 “tributes of GOD ; there I heard the discourses of a venerable *Ricshy*,
 “with whom I had the boldness to contend in argument, and to maintain
 “the preference of devotion towards the *visible*, or *incarnate*, over that
 “towards the *invisible* deity. The sage, irritated by my obstinate pre-
 “sumption, lost for a while the command of his temper, and uttered an
 “imprecation, in consequence of which I thus exist as a bird of the low-
 “est race ; but *Mahádaya*, having calmed his disturbed intellect, he re-
 “pent of his anger, and when I assumed my present figure, consoled
 “me with tender expressions, gave me the *Mentr*, or *Incantation* of *Rám*,
 “advised me to attend the God in his infancy, and afterwards to seek
 “this retirement, in which I have spent myriads of years : he concluded
 “with a benison, confirmed by a voice from heaven, saying : ‘ Granted
 “be the wishes of the pious !’

“Here has my opinion been more and more deeply fixed, that the ig-
 “norant who neglect the cow CA'MD'HEN, source of all true felicity,
 “and aspire only to sensual gratifications, resemble those who go search-
 “ing for the herb *acun*, but only desire its milk ; that men without re-
 “ligion, are like those who try to pass the ocean without a ship ; and
 “that, although the human soul be an immortal emanation from the di-
 “vinity, they who are swayed by their passions, become like parrots in
 “a cage, or apes confined by a chain. Not so the religious, who study
 “the *Vayds*, and perform good actions ; they resemble cows depasturing
 “green plains, whose udders are distended with milk, with which the
 “herdsman fills his bowl ; then, having boiled it, he lets it cool in the
 “fresh air, turns it into curd, and beats it into delicious butter. Piety is
 “the fire, which increases the goodness of the milk, burning away the
 “stains of vice ; and repentance constitutes the butter, which being con-
 “verted into oil, supplies the lamp of the understanding, by which di-

“ vine books are perused, and luminous truths discovered. Then the
“ propitious gods delight to co-operate with mortals ; in each of whose
“ corporeal senses are many lattices, where the deities continually keep
“ watch ; and, if the soul unwarily leaves them open to the hot en-
“ venomed wind of temptation, a sincere invocation of those heavenly
“ guardians will preserve the precious light from total extinction.’

“ The transported eagle attentively heard the sublime doctrines of
“ *Busundá*, and requested him to complete the lesson, by defining the
“ most excellent of natural *forms*, the highest *good*, the chief *pain* and
“ *pleasure*, the greatest *wickedness*, and the severest punishment.

“ I will describe them,’ answered the crow, ‘ with precision. In the
“ three worlds, empyreal, terrestrial, and infernal, no *form* excels the
“ *human* ; supreme *felicity* on earth, consists in genuine *piety*, and *con-*
“ *tempt of worldly advantages* ; the highest enjoyment is the conversation
“ of the devout, and virtuous ; the keenest *pain* is inflicted by *extreme*
“ *poverty* ; the worst of sins is *uncharitableness*, and the uncharitable, who
“ never fail to blaspheme the deities, and condemn the *Vayds*, shall be
“ punished in *the profoundest hell* ; while the despisers of their spiritual
“ guides, shall eternally live as *frogs* ; of the *Brábmens*, as *crows* ; of the
“ pious, as *night-ravens* ; of other men, as *bats* : such miseries are the
“ fruit of ungoverned passion !’

“ How should he,’ continued *Busundá*, ‘ who loves all men, and
“ whom all men love, be torn by affliction ; or he be necessitous, who
“ possesses the stone *Paras* ? How can they who hate their neighbours,
“ be free from terror ; or how can the voluptuous be ultimately free from
“ pain ? How can that country prosper, in which *Brábmens* are injuri-
“ ously treated ? or how shall that kingdom stand, in which justice is not
“ administered ? How can he fail of success, who acts with circumspec-
“ tion ?

“tion? How shall they be tormented with gloomy apprehensions, who
“despise not the virtuous? How shall he be rescued from perdition,
“who seduces the wife of another? or he live happily, who murmurs
“at Providence? Who can be glorified without merit? and who can
“be dishonoured without blame? How, lastly, can sin dwell in him,
“who listens to the story, and pours forth the praises of RA'M? No
“happiness can equal the pure devotion of his adorers.”

How shall they be tormented with gloomy apprehensions, who
despite not the virtuous? How shall he be rescued from perdition,
who loses the wife of another? or he live happily, who marries
at Providence? Who can be glorified without merit, and who can
be dishonoured without shame? How, lastly, can he dwell in him,
who listens to the flattery and pours forth the praises of Ravana? No
happiness can equal the pure devotion of his adorer."

EXTRACTS

FROM

THE VEDAS.

THE following fragments were submitted to the perusal of a friend *, and are now published at his recommendation, communicated to the Editor in the following terms :

“ The fragments submitted to my perusal, consist of translations of passages
“ in the Védas, and appear to be materials selected by Sir William Jones,
“ for the elucidation of a Dissertation ‘ *On the Primitive Religion of the Hindus.*’
“ This Dissertation was professedly intended, “ *to remove the veil from the sup-*
“ *posed mysteries of the primeval Indian Religion ;*’ and it is much to be regretted,
“ that it was never completed, and that the fragments, which are extremely
“ curious and interesting, cannot be published with that elucidation which
“ they would have received from the pen of the translator. I recommend,
“ however, the publication of them, as well as of the following extract.”

• Lord Teignmouth.

*EXTRACT FROM A DISSERTATION ON THE
PRIMITIVE RELIGION OF THE HINDUS.*

* * * * * but that I may not seem to appropriate the merit of discoveries which others have previously made, I think it necessary to say, that the original *Gayatri*, or holiest verse in the Veda, has already been published, though very incorrectly, by *Fra Manuel da Assomcaon*, a successful missionary from *Portugal*, who may have received it, as his countrymen assert, from a converted *Bráhma*n; that the same venerable text was seen in the hand of Mr. WILKINS, who no doubt well understood it, by two Pandits of my acquaintance; and that a paraphrase of it in Persian may be found in the curious work of DASHUCUH, which deserves to be mentioned very particularly. That amiable, but impolitic prince, who sacrificed his throne, and his life, to a premature declaration of his religious opinions, had employed six months, as he tells us, at *Banaras*, in translating, and explaining, fifty-one *Upánishads*, or secrets of the old Indian scripture; but he translated only the verbal interpretation of his Pandits, and blended the text of the *Veda*, with different glosses, and even with the conversation, I believe, of his living Hindu expositors, who are naturally so loquacious, that when they have begun talking, they hardly know how to close their lips.

Of this book I procured, with the assistance of Colonel *Polier*, a complete copy, corrected by a learned *Rájá*, named *Anandarám*, with whom the Colonel was very intimate: but though sublime, and majestic, features of the original were discernible, in parts, through folds of the *Persian* drapery; yet the Sanscrit names were so barbarously written, and the additions of the translator has made the work so deformed, that I resolved to postpone a regular perusal of it till I could compare it with the Sanscrit original * * * * *

THE GAYATRI OR HOLIEST VERSE OF THE VEDAS.

LET us adore the supremacy of *that* divine sun *, the godhead † who illuminates all, who recreates all, from whom all proceed, to whom all must return, whom we invoke to direct our understandings aright in our progress towards his holy feat.

* * * * *

WHAT the sun and light are to this visible world, that, are the *supreme good*, and *truth*, to the intellectual and invisible universe ; and, as our corporeal eyes have a distinct perception of objects enlightened by the sun, thus our souls acquire certain knowledge, by meditating on the light of truth, which emanates from the Being of beings : *that* is the light by which alone our minds can be directed in the path to beatitude.

* Opposed to the visible luminary.

† *Bbargas*, a word consisting of three consonants, derived from *bhá*, to shine ; *ram*, to delight ; *gam*, to move.

apánipádó javanó grīhítá,
 páfyyachacīhah śa ś'rinó tyacarnah :
 śa vētti vedyam na che tafya vēttá *
 tamáhuragryam perusham maháritam.

Without hand or foot he runs rapidly, and grasps firmly ; without eyes he sees, without ears he hears *all* ; he knows whatever can be known, but there is none who knows him : Him the wise call the great, supreme, pervading spirit.

Of this text, and a few others, RA'DHA'CANT has given a paraphrase :

“ Perfect truth ; perfect happiness ; without equal ; immortal ; absolute
 “ unity ; whom neither speech can describe, nor mind comprehend ; all-
 “ pervading ; all-transcending ; delighted with his own boundless intelli-
 “ gence, not limited by space, or time ; without feet, moving swiftly ; with-
 “ out hands, grasping all worlds ; without eyes, all-surveying ; without
 “ ears, all-hearing ; without an intelligent guide, understanding all ; with-
 “ out cause, the first of all causes ; all-ruling ; all-powerful ; the creator,
 “ preserver, transformer, of all things ; such is the Great One : this the
 “ Védas declare.”

* Instead of *Vēttá* some copies of the text have *chēttá* for *chētayitá*, or *director of the mind*, Τὸ ἡγεμονικόν.

1. WHAT relish can there be for enjoyments in this unfound body, filled with bad odours, composed of bones, skin, tendons, membranes, muscles, blood, saliva, tears, ordure and urine, bile and mucus?

2. What relish can there be for enjoyment in this body; assailed by desire and wrath, by avarice and illusion, fear and sorrow, envy and hate, by absence from those whom we love, and by union with those whom we dislike, by hunger and thirst, by disease and emaciation, by growth and decline, by old age and death?

3. Surely we see this universe tending to decay, even as these biting gnats and other insects; even as the grass of the field, and the trees of the forest, which spring up and then perish.

4. But what are they? Others, far greater, have been archers mighty in battle, and some have been kings of the whole earth.

5. SUDHUMNA, BHURIDHUMNA, INDRADHUMNA, CUVALAYA'SWA, YANVANA'SWA, AVADHYASWA, ASWAPATI, SASABINDU, HAVISEHANDRA, BARISHSHA, NAHUSHA, SURYATI, YAYATI, VICRAVA, ACSHAYASENA, PRIYAVRATA, and the rest.

6. MARUTTA likewise, and BHARATA, who enjoyed all corporeal delights, yet left their boundless prosperity, and passed from this world to the next.

7. But what are they? Others yet greater, *Gandawas*, *Asuras*, *Rakshasas*, companies of spirits, *Pisachas*, *Uragas*, and *Gràhas*, have we seen been destroyed.

8. But

8. But what are they? Others, greater still, have been changed; vast rivers dried; mountains torn up; the pole itself moved from its place; the cords of the stars rent asunder; the whole earth itself deluged with water; even the *śufes* or angels hurled from their stations.

9. In such a world, then, what relish can there be for enjoyment? Thou alone art able to raise up.

I am in this world like a frog in a dry well: Thou only, O Lord, art my refuge: thou only art my refuge.

1. MAY that soul of mine, which mounts aloft in my waking hours, as an ethereal spark, and which, even in my slumber, has a like ascent, soaring to a great distance, as an emanation from the light of lights, be united by devout meditation with the Spirit supremely blest, and supremely intelligent!

2. May that soul of mine, by an agent *similar to* which the low-born perform their menial works, and the wise, deeply versed in sciences, duly solemnize their sacrificial rite; *that* soul, which was itself the primeval oblation placed within all creatures, be united by devout meditation with the Spirit supremely blest, and supremely intelligent!

3. May that soul of mine, which is *a ray* of perfect wisdom, pure intellect and permanent existence, which is the unextinguishable light fixed within created bodies, without which no good act is performed, be united by devout meditation with the Spirit supremely blest, and supremely intelligent!

4. May that soul of mine, in which, as an immortal essence, may be comprised whatever has past, is present, or will be hereafter; by which the sacrifice, where seven ministers officiate, is properly solemnized; be united by devout meditation with the Spirit supremely blest, and supremely intelligent!

5. May that soul of mine, into which are inserted, like the spokes of a wheel in the axle of a car, the holy texts of the *Rigveda*, the *Sáman*, and the *Yajush*; into which is interwoven all that belongs to created forms, be united by devout meditation with the Spirit supremely blest, and supremely intelligent!

6. May

6. May that soul of mine, which, *distributed in other bodies*, guides mankind, as a skilful charioteer guides his rapid horses with reins; that soul which is fixed in my breast, exempt from old age, and extremely swift in its course, be united, by divine meditation, with the Spirit supremely blest, and supremely intelligent!

Veda, and 1st Article of our Church.

“ There is one living and true GOD, everlasting, without body, parts,
“ or passion, of infinite power, wisdom, and goodness; the maker and
“ preserver of all things, both visible. &c. &c.”

I'SA'VA'SYAM;

ÍSÁVÁSYAM;

OR,

AN UPANISHAD FROM THE YAJUR VEDA.

1. BY one Supreme Ruler is this universe pervaded; even every world in the whole circle of nature. Enjoy pure delight, O man! by abandoning *all thoughts* of this perishable world; and covet not the wealth of any creature existing.

2. He who, in this life, continually performs his religious duties, may desire to live a hundred years; but even to the end of that period thou shouldst have no other occupation here below.

3. To those regions, where evil spirits dwell, and which utter darkness involves, will such men surely go after death, as destroy *the purity* of their own souls.

4. There is one supreme Spirit, which nothing can shake, more swift than the thought of man. That primeval Mover, even divine intelligences cannot reach: that Spirit, though unmoved, infinitely transcends others, how rapid soever their course.

5. That supreme Spirit moves at pleasure, but in itself is immovable; it is distant from us, yet very near us; it pervades this whole system of worlds, yet is infinitely beyond it.

6. That

6. The man who considers all beings as existing even in the supreme spirit, and the supreme spirit as pervading all beings, henceforth views no creature with contempt.

7. In him who knows that all spiritual beings are the same *in kind* with the supreme spirit, what *room can there be for* delusion of mind, or what room for sorrow when he reflects on the identity of spirit?

8. The pure enlightened soul assumes a luminous form with no gross body, with no perforation, with no veins, or tendons, unblemished, untainted by sin, *itself being a ray from the infinite spirit*, which knows the past and the future, which pervades all, which existed with no cause but itself, which created all things as they are in ages very remote.

9. They who are ignorantly devoted to the mere ceremonies of religion are fallen into thick darkness, but they surely have a thicker gloom around them who are solely attached to speculative science.

10. A distinct reward, they say, is reserved for ceremonies, and a distinct reward, they say, for divine knowledge; adding, "This we have heard from sages who declared it to us."

11. He alone is acquainted with the nature of ceremonies, and with that of speculative science, who is acquainted with both at once: by religious ceremonies he passes the gulph of death, and by divine knowledge he attains immortality.

12. They who adore only the appearances and forms of the deity are fallen into thick darkness, but they surely have a thicker gloom around them who are solely devoted to the abstract essence of the divine essence.

13. A distinct reward, they say, is obtained by adoring the forms and attributes,

attributes, and a distinct reward, they say, by adoring the abstract essence; adding: "This we have heard from sages who declare it to us."

14. He only knows the forms and the essence of the deity who adores both at once; by adoring the appearances of the deity, he passes the gulph of death, and by adoring his abstract essence he attains immortality.

15. Unveil, O Thou who givest sustenance to the world, that face of the true sun, which is now hidden by a vase of golden light! so that we may see the truth, and know our whole duty!

16. O Thou who givest sustenance to the world, thou sole mover of all, thou who restrainest sinners, who pervadest yon great luminary, who appearest as the Son of the Creator; hide thy dazzling beams, and expand thy spiritual brightness, that I may view thy most auspicious, most glorious, real form.

"OM, Remember me, divine spirit!"

"OM, Remember my deeds."

17. That all-pervading spirit, that spirit which gives light to the visible sun, even the same *in kind* am I, *though infinitely distant in degree*. Let my soul return to the immortal spirit of God, and then let my body, which ends in ashes, return to dust!

18. O spirit, who pervadest fire, lead us in a straight path to the riches of beatitude! Thou, O God, possessest all the treasures of knowledge: remove each foul taint from our souls; we continually approach thee with the highest praise, and the most fervid adoration.

FROM THE YAJURVEDA.

1. AS a tree, the lord of the forest, even so, without fiction, is man : his hairs are as leaves ; his skin, as exterior bark.

2. Through the skin flows blood ; through the rind, sap : from a wounded man, therefore, blood gushes, as the vegetable fluid from a tree *that is* cut.

3. His muscles are as interwoven fibres ; the membrane round his bones as interior bark, which is closely fixed : his bones are as the hard pieces of wood within : their marrow is composed of pith.

4. Since the tree, when felled, springs again, still fresher, from the root, from what root springs mortal man when felled by the hand of death ?

5. Say not, he springs from seed : seed surely comes from the living. A tree, no doubt, rises from seed, and after death has a visible renewal.

6. But a tree which they have plucked up by the root, flourishes individually no more. From what root then springs mortal man when felled by the hand of death ?

7. Say not he was born before ; he is born : who can make him spring again to birth ?

8. GOD, who is perfect wisdom, perfect happiness, He is the final refuge of the man, who has liberally bestowed his wealth, who has been firm in virtue, who knows and adores that Great One.

A HYMN

A HYMN TO THE NIGHT.

NIGHT approaches illumined with stars and planets, and looking on all sides with numberless eyes, overpowers all meaner lights. The immortal goddess pervades the firmament covering the low valleys and shrubs and the lofty mountains and trees, but soon she disturbs the gloom with celestial effulgence. Advancing with brightness, at length she recalls her sister Morning; and the nightly shade gradually melts away.

May she, at this time, be propitious! She, in whose early watch, we may calmly recline in our mansion, as birds repose on the tree.

Mankind now sleep in their towns; now herds and flocks peacefully slumber, and winged creatures, even swift falcons and vultures.

O Night, avert from us the she-wolf and the wolf; and oh! suffer us to pass thee in soothing rest!

O Morn, remove, in due time, this black, yet visible, overwhelming darkness which at present infolds me, as thou enablest me to remove the cloud of their debts.

Daughter of heaven, I approach thee with praise, as the cow approaches her milker; accept, O Night, not the hymn only, but the oblation of thy suppliant, who prays that his foes may be subdued.

*The following Fragment is a Translation from a Sanscrit Work,
entitled,*

THE IGNORANT INSTRUCTED.

1. RESTAIN, O ignorant man, thy desire of wealth, and become a hater of it in body, understanding, and mind : let the riches thou possessest be acquired by thy own good actions, with those gratify thy soul.

2. The boy so long delights in his play, the youth so long pursues his beloved, the old so long brood over melancholy thoughts, that no man meditates on the supreme being.

3. Who is thy wife, and who thy son ? How great and wonderful is this world : whose thou art, and whence thou comest ? Meditate on this, my brother, and again on this.

4. Be not proud of wealth and attendants, and youth ; since time destroys all of them in the twinkling of an eye : check thy attachment to all these illusions, like *Maya* ; fix thy heart on the foot of *Brabhà*, and thou wilt soon know him.

5. As a drop of water moves on the leaf of the lotus ; thus, or more slippery, is human life : the company of the virtuous endures
here

here but for a moment; that is the vehicle to bear thee over land and ocean.

6. To dwell in the mansion of Gods at the foot of a tree; to have the ground for a bed, and a hide for vesture; to renounce all ties of family or connections; who would not receive delight from this devout abhorrence of the world.

7. Set not thy affections on foe, or friend; on a son, or a relation; in war, or in peace; bear an equal mind towards all; if thou desirest it, thou wilt soon be like *Viṣṇu*.

8. Day and night, evening and morn, winter and spring, depart and return! Time sports, age passes on, desire and the wind continue unrestrained.

9. When the body is tottering, the head grey, and the mouth toothless; when the smooth stick trembles in the hand, which it supports, yet the vessel of covetousness remains unemptied.

10. So soon born, so soon dead! so long lying in thy mother's womb! so great crimes are committed in the world! How then, O man, canst thou live here below with complacency?

11. There are eight original mountains, and seven seas—*Brahma, Indra, the Sun, and Kudra*.—These are permanent, not thou, not I, not this, or that people: what, therefore, should occasion our sorrow?

12. In thee, in me, in every other, *Viṣṇu* resides: in vain art thou angry with me, not bearing my approach: this is perfectly true, all must be esteemed equal: be not, therefore, proud of a magnificent palace.

This

This is the instruction of learners, delivered in twelve measures: what more can be done with those, whom this work doth fill with devotion?

Thus ends the book, named *Māhadmudgana*, or the Ignorant Instructed, (properly the Mallet of the Ignorant), composed by the holy, devout, and prosperous *Sancar Acharya*.

THE
SEASONS;

A
DESCRIPTIVE POEM.

BY CA'LIDA'S.

FROM THE ORIGINAL SANSKRIT.

ADVERTISEMENT.

THIS book is the first ever printed in *Sanscrit*; and it is by the press alone, that the ancient literature of *India* can long be preserved: a learner of that most interesting language who had carefully perused one of the popular grammars, could hardly begin his course of study with an easier or more elegant work, than the *Ritusanhāra*, or *Assemblage of Seasons*. Every line composed by CA'LID'AS is exquisitely polished; and every couplet in the poem exhibits an *Indian* landscape, always beautiful, sometimes highly coloured, but never beyond nature: four copies of it have been diligently collated; and where they differed, the clearest and most natural reading has constantly had the preference.

W. J.

LAILÍ MAJNÚN,

A

PERSIAN POEM

OF

H Á T I F Í.

LAILI MAJNU

PERSIAN POEM



THE
PREFACE.

AMONG eleven or twelve *Persian* poems on the story of LAILI' and MAJNU'N, that of HA'TIFI' seems universally esteemed the simplest and most pathetick. The tale itself is extremely simple; and the more affecting, because it is true; for KAIS, who became *frantick* from disappointed love, and thence had the surname of *Majnún*, was a most accomplished and amiable youth, the only son of an *Arabian* chieftain in the first age of the *Mohammedan* empire: fragments of his beautiful poetry are still repeated with rapture by the *Arabs* of *Hejáx*; and the best works of the *Persians* abound in allusions to his unfortunate passion. LAILI', or LAILA, as her name is pronounced in *Arabia*, was the daughter of a neighbouring chief, and was also eminently accomplished; yet she had no transcendent beauty, it seems, in any eyes but those of her lover: SADI', who represents her with a swarthy complexion and of low stature, tells a long, but agreeable, story on the same subject, which the *Maulavi* of *Rúm* has comprized in two couplets—"The *Khalifah* said to LAILI', art thou the damsel, for whom the lost MAJNU'N is become a wanderer in the desert? Thou surpassest not other girls in beauty. She said: Be silent; for thou art not Majnún."

For the short account of our Poet exhibited in the *Persian* preface, we are obliged to the kindness of ALI' IBRA'HIM KHA'N, one of the best bred, most learned, and most virtuous *Muselmáns* in the *British* territories. ABDULLAH, surnamed HA'TIFI', who died in the year 1520 of our era, was a nephew, we find, of NU'RUDDI'N, usually called JA'MI' from the village

village of *Jám* in *Khorásán*, with whom he lived on more amicable terms, than could naturally have been expected between rival poets; and, if he was inferior to his uncle in learning or in art, he certainly surpassed him in genius. His principal ambition was to enter the lists with NIZA'MI', by composing five poems on the same or similar subjects with the *Khamshab* of that illustrious author; and how far he succeeded in his competition, every reader must decide for himself: my own opinion is, that he has not even approached the splendour and sublimity of his master's diction, but that he has excelled him in tenderness and simplicity; and, most probably, NIZA'MI' valued himself solely on his rich and elevated composition, whilst HA'TIFI' aimed only at sweetness and pathos, each attaining the summit of excellence in the style which he professed. The fate of the two poets has been very different; for, while the five poems of NIZA'MI' have a place in most *Asiatick* libraries and in general are beautifully copied, those of HA'TIFI' are extremely scarce and negligently transcribed: his *Haft Paicar*, or the *Seven Images*, is barely named by D'HERBELOT, who mentions also his *Zafar Námah*, an Heroick Poem on the actions of TAIMU'R, which was designed to emulate that of NIZA'MI' on the victories of ALEXANDER; but I have never been able to procure any of his works except his *Laili' Majnu'n*, the scarcity of which was my chief inducement for publishing it. The reader must not expect a complete edition of the poem, which I have neither materials nor leisure to exhibit, but merely an impression of my manuscript, which unhappily is far from being correct. A *Muselman* of high rank, who first named the work to me, promised to send me in *Bengal* a well-collated copy of it; but he forgot his promise; and the imperfection of this edition must partly be ascribed to his forgetfulness; partly to my own haste, inadvertence, or ignorance. Since the book has been printed, I have read it four or five times with great attention; and, having procured two other manuscripts, when the last sheet was in the press, I perused them also with as much attention as they deserved, but with very trifling advantage: I then formed a table of corrections, while two learned natives were severally engaged

engaged in the same labour; but, finding their tables to differ considerably from each other, I have reduced them to a short compass by omitting every doubtful emendation, and every grammatical error, by which no *Persian* scholar could be misled. In many places the common orthographical marks are omitted (as they are, indeed, in the best manuscripts), and in some places they are added, where the sense or the metre necessarily requires their omission: between some few words the copulative is erroneously inserted, and between others it is inaccurately omitted, having probably dropped out in the press-work: lastly, some couplets are evidently transposed, especially in the dialogue between MAJNU'N and LAILI'S mother, where I suspected on the first perusal of it, that near thirty distichs were out of their place; but I had not the courage to depart from the authority of my manuscript in a most pathetick episode, where it might have been the poet's design to break the usual connexion of ideas in minds distracted with anguish; as the great *Italian* composers often violate every rule of harmony in expressing tumultuous passions. On the whole, the book is by no means perfect; but, since it is far more correct than any *Persian* or *Arabick* book of the same length, that I ever perused, I am fully convinced that it will afford the reader as much delight, as I have myself received, and shall continue to receive, from it.

The best guide in amending all poetical works is an accurate knowledge of the measures, in which they are composed; yet a want of that knowledge in editors of *Greek* and *Arabian* poems, has been the occasion of so many mistakes, that a collection of them would fill a volume: in *Persian* few poems have been printed; but, if GENTIUS had only been able to distinguish prose from verse, as it is manifest that he was not able, he would have done more justice to the beautiful *Gulistán*, which he had the merit of selecting for publication. The measure of the poem before us, which has enabled me to correct a number of lines in it, is exactly in this form:

Lex ómnibus imperáre debét,

with

with a strong accent on the *second, seventh, and tenth* syllables; and it is very remarkable, that almost every couplet in that measure may be transposed, by an easy change of the accent, into common *English* verse: thus HA'TIFI' says,

*ān t'orfab sabi kadī gulendām
az kais robūd s'abru ārām,
būdī birokbī nicūyi ū shād,
vaz khwāb u khoresh nayāmadi yād,
īshk āmad u der du sinab jā card,
khodrá bidu yār āshná card,
bāz āmadi u bibem nishasti,
vaz goft u shenid leb nabasti,
īshán gbemi dil bicas nagoftend,
rázi del az in u ān naboftend.*

These five distichs may be thus translated in the measure of the original:

With cheeks, where eternal páradise bloóm'd,
Sweet *Laili* the soul of *Kais* had confúm'd;
Transpórted her heav'nly gráces he viéw'd,
Of slumber no more he thought, nor of foód:
Love raís'd in their glowing bósoms his thróne,
Adópting the chosen páir as his ówn,
Togéther on flow'ry seáts they repós'd;
Their líps not one idle móment were clós'd:
To mórtals they gave no hínt of their smárt;
Love ónly the secreet dréw from each héart.

And a bare transposition of the accents gives us five *English* couplets in the form, which some call heroick, and others, elegiack:

With

With cheeks, where paradise eternal bloom'd,
 Sweet *Laili* had the soul of *Kais* consum'd;
 Her heav'nly graces he transported view'd;
 No more he thought of slumber or of food.
 Love in their glowing bosoms rais'd his throne,
 The chosen pair adopting as his own.
 On flow'ry seats together they repos'd;
 Their lips one idle moment were not clos'd;
 No hint they gave to mortals of their smart;
 Love only drew the secret from each heart.

Nevertheless, if the whole poem should ever be translated into *English* (by me it certainly never will), I would recommend a version in modulated, but unaffected, prose in preference to rhymed couplets; and, though not a single image or thought should be added by the translator, yet it would be allowable to omit several conceits, which would appear unbecoming in an *European* dress; for the poem, with all its beauties, has conceits in it, like the black spots on some very beautiful flowers; but they are neither so numerous nor so unpleasing, as those in the poem of *VENUS* and *ADONIS*, and we cannot with justice show less indulgence to a poet of *Iran*, than we all show to our immortal countryman, SHAKSPEARE.

I wish I could conceal the principal object of this publication, without impeding or delaying the object itself; but, since I am conscious, that what I am going to add has the appearance only of ostentation, and that my purpose cannot be answered, unless it be speedily and generally known, I think it necessary to declare, that the property of the whole impression belongs from this moment to the attorney for the poor in the Supreme Court, in trust for the miserable persons under execution for debt in the prison of *Calcutta*: should all the copies be sold, there will be near twelve thousand *Sicca Rupees* in the hands of the trustee, who will immediately

mediately apply them, without any distinction of religion or country, to the effectual relief, as far as they will extend, of such prisoners as have been longest confined, and are not relievable by the rules of the Court. This assistance, I fear, will set at liberty but few of the unhappy men, who now suffer the worst of human misfortunes; but it is possible, that the liberality of the publick may, in some mode or another, extend itself to those who remain in prison; for, even if the legislature should ultimately relieve them, yet multitudes of them will perish, and all must wish to perish, before any relief can arrive from *Europe*.

The incorrectness of modern *Arabian* and *Persian* books is truly deplorable: nothing can preserve them in any degree of accuracy but the art of printing; and, if *Asiatick* literature should ever be general, it must diffuse itself, as *Greek* learning was diffused in *Italy* after the taking of *Constantinople*, by mere impressions of the best manuscripts without versions or comments, which future scholars would add at their leisure to future editions; but no printer could engage in so expensive a business, without the patronage and the purse of monarchs or states or societies of wealthy individuals, or at least without a large publick subscription: there are printers in *Bengal*, who, if they were duly encouraged, would give us editions of *HAFIZ* and *SADI*, or, perhaps, of *NIZA'MI'* and *FIRDAUSI'*; and there are indigent natives of eminent learning, who would gladly correct the press for a small monthly salary. I shall ever be ready to promote such undertakings as a subscriber, but shall never more appear as an editor or a translator of any *Persian* book whatever.

W. JONES.

A CATA-

A CATALOGUE OF SANSKRIT, AND OTHER ORIENTAL MANUSCRIPTS, PRESENTED TO THE ROYAL SOCIETY BY SIR WILLIAM AND LADY JONES.

The following letter will shew the motives which induced the Editor to complete Sir William Jones's gift, by presenting the remainder of his valuable collection of Eastern Manuscripts to the Royal Society, in the hopes of their becoming a general accommodation to the learned.

Gardens, near Calcutta, Jan. 29, 1792.

My dear Sir JOSEPH,

I annex a bill of lading, which will explain itself. Should I live to have the pleasure of seeing you again, you will have the goodness to let me take the manuscripts, with the care of which I now trouble you; should I die, you will deposit them in the Royal Society, so that they may be lent out, without difficulty, to any studious men who may apply for them. I am so busy at this season, that I can only bid you farewell, from,

Dear Sir JOSEPH,

Your ever-faithful,

And obedient servant,

W. JONES.

Sir Joseph Banks, Bart.

A CATALOGUE OF MANUSCRIPTS, AND OTHER ORIENTAL MATERIALS,
PRESENTED TO THE ROYAL SOCIETY BY
SIR WILLIAM AND LADY JONES.

The following letter will shew the motives which induced the Editor to
complete Sir William Jones's gift, by presenting the remainder of his
valuable collection of Eastern Manuscripts to the Royal Society, in the
course of their becoming a general recommendation to the learned.

My dear Sir,
I enclose a bill of lading which will explain itself. Should I have
been the slightest neglecting you, you will have the goodness to let
me know the reason, and I will endeavour to do it. I am, Sir,
Yours very truly,
W. Jones



A CATALOGUE, &c. taken by C. WILKINS, Esq. F.R.S. part of which (as far as No. 56) was read before the ROYAL SOCIETY, June 28, 1798.

All the notes at the bottom of the page, are copied from the Manuscript of Sir William Jones, in each of the books referred to.

I. a. MAHA-BHARATA.

A poem in eighteen books, exclusive of the part called *Raghuvanśa*; the whole attributed to *Crishna Dwaipáyana Vyása*; with copious notes by *Nilá-canta*. This stupendous work, when perfect, contains upwards of one hundred thousand metrical verses. The main subject is the history of the race of *Bhárata*, one of the ancient kings of India, from whom that country is said to have derived the name of *Bhárata-varśha*; and more particularly that of two of its collateral branches, distinguished by the patronymics, the *Curavas* and the *Puravas* (so denominated from two of their ancestors, *Curu* and *Puru*), and of their bloody contentions for the sovereignty of *Bhárata-varśha*, the only general name by which the aborigines know the country we call *India*, and the Arabs and Persians *Hind* and *Hindoostan*. But, besides the main story, a great variety of other subjects is treated of, by way of introduction and episode. The part entitled *Raghu-vanśa*, contains a distinct history of the race of *Crishna*. The *Mahá-bhárata* is so very popular throughout the East, that it has been translated into most of its numerous dialects; and there is an abridgment of it in the Persian language, several copies of which are to be found in our publick libraries. The *Gítá*, which has appeared in an English dress, forms part of this work; but, as it contains doctrines thought too sublime for the vulgar, it is often left out of the text, as happens to be the case in this copy. Its place is in the 6th book, called *Bhishma-parva*. This copy is written in the character which, by way of pre-eminence, is called *Déva-nágari*. Ly J.

1. *Maha-Bharati*. The great story from Bharati speech.

1. *b. Ditto.*

Another copy, without notes, written in the character peculiar to the province of *Bengal*, in which the *Brahmans* of that country are wont to transcribe all their *Sanſcrit* books. Moſt of the alphabets of India, though they differ very much in the ſhape of their letters, agree in their number and powers, and are capable of expreſſing the *Sanſcrit*, as well as their own particular language. This copy contains the *Gitá*, in its proper place. Ly J.

2. *a. Rámáyana.*

The adventures of *Ráma*, a poem in ſeven books, with notes, in the *Dévanágari* character. There are ſeveral works with the ſame title, but this, written by *Válmic*, is the moſt eſteemed. The ſubject of all the *Rámáyan's* is the ſame: the popular ſtory of *Ráma*, ſurnamed *Dáſarathí*, ſuppoſed to be an incarnation of the god *Viſhnu*, and his wonderful exploits, to recover his beloved *Sitá* out of the hands of *Rávana*, the giantick tyrant of *Lancá*. Ly J.

2. *b. Ditto.*

Another copy, in the *Bengal* character, without notes, by *Válmic*.

Ly J.

2. *c. Ditto.*

A very fine copy, in the *Dévanágari* character, without notes; but unfortunately not finiſhed, the writer having been reduced to a ſtate of infanity, by habitual intoxication. Sir W. J.

3. *a. Sri Bhágavat.*

A poem in twelve books, attributed to *Críſhna Dwaipáyana Vyáſa*, the reputed author of the *Mahá-bhárat*, and many other works; with notes by *Sridhará Swámi*. *Dévanágari* character. It is to be found in moſt of the vulgar dialects of India, and in the Perſian language. It has alſo appeared, in a very imperfect and abridged form, in French, under the title of *Bagavadam*, tranſlated from the *Támul* verſion. The chief ſubject of the *Bhagavat* is the life of *Críſhna*; but, being one of that ſpecies of compoſition which is called *Purána*, it neceſſarily comprises five ſubjects,

subjects, including that, which may be considered the chief. The Bráhmans in their book, define a *Purána* to be “a poem treating of five subjects: primary creation, or creation of matter in the abstract; secondary creation, or the production of the subordinate beings, both spiritual and material; chronological account of their grand periods of time, called *Manwantaras*; genealogical rise of families, particularly of those who have reigned in India; and, lastly, a history of the lives of particular families.” Ly J.

3. b. *Ditto*.

Another copy, in the *Bengal* character, without notes. Ly J.

3. c. *Ditto*.

Another copy, on palm leaves, in the *Bengal* character. Sir W. J.

4. *Agni Purána*.

This work, feigned to have been delivered by *Agni*, the god of fire, contains a variety of subjects, and seems to have been intended as an epitome of Hindu learning. The poem opens with a short account of the several incarnations of *Vishnu*; particularly in the persons of *Ráma*, whose exploits are the theme of the *Rámáyan*, and of *Crishna*, the material offspring of *Vasudéva*. Then follow a history of the creation; a tedious dissertation on the worship of the gods, with a description of their images, and directions for constructing and setting them up; a concise description of the earth, and of those places which are esteemed holy, with the forms of worship to be observed at them; a treatise on astronomy, or rather astrology; a variety of incantations, charms, and spells, for every occasion; computation of the periods called *Manwantaras*; a description of the several religious modes of life, called *A'srama*, and the duties to be performed in each of them respectively; rules for doing penance; feasts and fasts to be observed throughout the year; rules for bestowing charity; a dissertation on the great advantages to be derived from the mystic word OM! with an hymn to *Vasishtha*. The next subject relates to the office and duties of princes; under which head are given rules for knowing the qualities of men and women; for choosing arms and en-

signs

signs of royalty; for the choice of precious stones; which are followed by a treatise on the art of war, the greatest part of which is wanting in this copy. The next head treats of worldly transactions between man and man, in buying and selling, borrowing and lending, giving and receiving, &c. &c. and the laws respecting them. Then follow certain ordinances, according to the *Véda*, respecting means of security from misfortunes, &c. and for the worship of the gods. Lists of the two races of kings, called the *Suryavanfa*, and the *Chandravanfa*; of the family of *Yadu*, and of *Crishna*; with a short history of the twelve-years' war, described in the *Mabá-bhárat*. A treatise on the art of healing, as applicable to man and beast, with rules for the management of elephants, horses, and cows; charms and spells for curing various disorders; and the mode of worshipping certain divinities. On the letters of the *Sanfrit* alphabet; on the ornaments of speech, as applicable to prose, verse, and the drama; on the mystick signification of the single letters of the *Sanfrit* alphabet; a grammar of the *Sanfrit* language, and a short vocabulary. The work is divided into 353 short chapters, and is written in the *Bengal* character. Ly J.

5. *Cálica Purána.*

A mythological history of the goddess *Cáli*, in verse, and her adventures under various names and characters; a very curious and entertaining work, including, by way of episode, several beautiful allegories, particularly one founded upon the motions of the moon. There seems to be something wanting at the end. *Bengal* character, without notes.

Ly J.

6. a. *Váyu Purána.*

This work, attributed to *Váyu* the god of wind, contains, among a variety of other curious subjects, a very circumstantial detail of the creation of all things celestial and terrestrial, with the genealogy of the first inhabitants; a chronological account of the grand periods called *Manwantaras*, *Calpas*, &c.; a description of the earth, as divided into *Dwipas*, *Varshas*, &c., with its dimensions in *Yojanas*; and also of the other planets,

planets, and fixed stars, and their relative distances, circumferences of orbits, &c. &c. Written in the *Dévanágari* character. Ly J.

6. *b. Ditto.*

A duplicate in the *Dévanágari* character. Ly J.

7. *Vrihan Náradiya Purána.*

This poem, feigned to have been delivered to *Sanatcumára*, by the inspired *Nárada*, like others of the *Puránas*, opens with chaos and creation; but it treats principally of the unity of God, under the title of *Mahá Vishnu*; arguing, that all other gods are but emblems of his works, and the goddesses, of his powers; and that the worshipping of either of the triad, creator, preserver, or destroyer, is, in effect, the worshipping of him. The book concludes with rules for the several tribes, in their spiritual and temporal conduct through life. It is a new copy, in the *Bengal* character, and, for a new copy, remarkably correct. Ly J.

8. *Náradiya Purána.*

This poem treats principally on the worship of *Vishnu*, as practised by *Rukmángada*, one of their ancient kings. *Dévanágari* character.

Sir W. J.

9. *a. Bhavishyóttara Purána.*

The second and only remaining part. The subject is confined to religious ceremonies. *Dévanágari* character. Sir W. J.

9. *b. Ditto.*

With an Index. *Dévanágari* character. Ly J.

10. *Gita-góvinda.*

A beautiful and very popular poem, by *Jayadéva*, upon *Crishna*, and his youthful adventures. *Bengal* character. Ly J.

11. *a. Cumára Sambhava.*

An epick poem on the birth of *Cártica*, with notes, by *Calidása*. *Dévanágari* character. The notes are separate. Ly J.

11. *b. Ditto.*

A duplicate of the text only, in the *Bengal* character. Ly J.

11. Read six times.

12. *Naiskadka.*

12. *Naishadha*.

The adventures of *Nala*; a poem, with notes. *Bengal* character. Ly J.

13. *Bhatti*.

A popular heroick poem, in the *Bengal* character. Ly J.

14. *Raghu-vansa*.

The race of *Crishna*, a poem by *Calidas*, with notes. *Dévanágari* character. Ly J.

15. *Vribatcatbá*.

Indian Tales in verse, by *Somadéva*. *Dévanágari* character. Ly J.

16. *Singhásána*.

The throne of *Ràjà Vicramáditya*; a series of instructive tales, supposed to have been related by thirty-two images which ornamented it. *Dévanágari* character. It has been translated into Persian. Ly J.

17. *Cat'há Saritságara*.

A collection of tales by *Somadéva*. *Dévanágari* character. Two books in Russia. Ly J.

18. *Suca Saptati*.

The seventy tales of a parrot. *Dévanágari* character. Sir W. J. The Persians seem to have borrowed their *Tuti-náma* from this work.

19. *Rasamanjari*.

The analysis of love, a poem, by *Bhánudatta Misra*. *Dévanágari* character. Ly J.

20. *Sántifataca*.

A poem, in the *Bengal* character. Ly J.

21. *Arjuna Gitá*.

A dialogue, something in the manner of the *Bhagavat Gitá*. *Dévanágari* character. Ly J.

15. This poet resembles Ariosto, but even surpasses him in eloquence.—“We do homage to the poets who composed the *Rámáyan*, the *Mahábárat*, and the *Vribatcatbá*—*Válmic*, *Vyása* and *Somadeva*; by whom delightful eloquence blazes forth, divided like the river with three streams. *Goverdhana Achárya*.

19. I have read this delightful book four times at least.

22. *Hitópadeśa*

22. *Hitópadeśa*.

Part of the fables translated by C. W. Written in the *Bengal* character. Ly J.

23. *Brahmá Nirupana*.

On the nature of *Brahmá*. *Dévanágari* character. Imperfect. Ly J.

24. *Méghaduta*.

A poem. *Bengal* character. Ly J.

25. *Tantra Sára*.

On religious ceremonies, by *Criśhnánanda Battáchárya*. *Bengal* character. Sir W. J.

26. *Sahasra Náma*.

The thousand names of *Viśhnu*. *Dévanágari* character. Sir W. J.

27. *Cirátárjuniya*.

A poem, in the *Bengal* character. Ly J.

28. *Siddhánta Sirómani*.

A treatise on geography and astronomy, by *Bháscaráchárya*. *Dévanágari* character. Sir W. J.

29. *Sangita Náráyana*.

A treatise on musick and dancing. *Dévanágari* character. Sir W. J.

30. *Vrihadaranyaca*.

Part of the *Yajur Véda*, with a gloss, by *Sancara*. *Dévanágari* character. Ly J.

31. *Niruṭi*, or *Nairuṭa*.

A gloss on the *Véda*. *Dévanágari* character. Ly J.

32. *Aitaréya*.

A discourse on part of the *Véda*. *Dévanágari* character. Ly J.

33. *Cbandasi*.

From the *Sáma Véda*. *Dévanágari* character. Ly J.

34. *Mágba Tíca*.

A comment on some other work. *Dévanágari* character. Ly J.

35. *Rájaballabha*.

De materia Indorum medicâ; by *Nârâyanadâsa*. *Bengal* character.

Ly J.

36. *Hatha Pradîpaca*.

Instructions for the performance of the religious discipline called *Yôga*; by *Swâtmârâma*. *Bengal* character. Ly J.

37. a. *Mânava Dharma Sâstra*.

The institutes of *Menu*, translated into English by Sir W. J. under the title of "*Institutes of Hindu Law, or the Ordinances of Menu*." *Dévanâgari* character. Ly J.

37. b. *Ditto*.

Duplicate in the *Dévanâgari* character. Ly J.

38. *Mugdha-bôdha-ticâ*.

A commentary on the *Mugdha-bôdha*, which is a *Sanskrit* grammar, peculiar to the province of Bengal, by *Durgâ Dâsa*. *Bengal* character. Four vols. Ly J.

39. *Sâraswati-Vyâcarana*.

The *Sanskrit* grammar called *Sâraswati*. (That part only which treats of the verb.) *Dévanâgari* character. Ly J.

40. *Sârâvali*.

A grammar of the *Sanskrit* language. Incomplete. *Bengal* character. Sir W. J.

41. *Siddhânta Caumudi*.

A grammar of the *Sanskrit* language, by *Pânini*, *Câtâyana*, and *Pâtanjali*; with a duplicate of the first part, as far as compounds. *Dévanâgari* character. Ly J.

42. a. *Amara Côsa*.

41. *The Great Siddhanta Caumudi*—Part I. Collected by *Bhattâje Dushita*, from the grammatick explanations of *Chatyana*.

I finished the attentive reading of this grammar by *Panani*, *Chatyana*, and *Patanjali*, 18 Aug. 1792.

42. A grammatical comment on the botanical chapter of *Amarcosha*.

Finished reading, September 18, 1792, *Crishna-nagar*.

A vo-

A vocabulary of the *Sanscrit* language, with a grammatical comment. Not perfect. *Dévanágari* character. Ly J.

42. *b. Ditto.*

The botanical chapter only, with a comment. *Dévanágari* character. Ly J.

42. *c. Ditto.*

The whole complete. *Bengal* character. Sir W. J.

43. *Mèdini Cósá.*

A dictionary of the *Sanscrit* language. *Dévanágari* character. Ly J.

44. *Viśwapracáśa Cósá.*

A dictionary of the *Sanscrit* language ; by *Mabéśwara*. *Dévanágari* character. Ly J.

45. *Sabda Sandarbha Sindu.*

A dictionary of the *Sanscrit* language ; by *Cáśínáth Sarman*. It appears from the introduction, that it was compiled expressly for the use of Sir W. J. The learned author is, at present, head professor in the newly-established college at *Varanáśi*. *Dévanágari* character. Two vols. folio. Ly J.

46. *Venīśānbāra.*

A drama, *Sanscrit* and *Prácrit*, in the *Bengal* character. Ly J.

47. *Mahá Nátaca.*

A drama, *Sanscrit* and *Prácrit*, in the *Bengal* character. Ly J.

48. *Sacontalá.*

A drama, *Sanscrit* and *Prácrit*, in the *Bengal* character. This is the beautiful play which was translated into English by Sir W. J. but not the copy he used for that purpose. Ly J.

49. *Málati and Mádhava.*

A drama, *Sanscrit* and *Prácrit*, in the *Bengal* character. Ly J.

50. *Háśyárnava.*

50. The Sea of Laughter (*Háśyárnava*). A farce by Jagadīśwara.

It is a bitter satire on kings, and their servants, who are described as profligate scoundrels ; and on priests, who are represented as vicious hypocrites.

A farce,

- A farce, *Sanscrit* and *Prácrit*, in the *Bengal* character. Ly J.
51. *Cautuca Sarvaswam*.
A farce, *Sanscrit* and *Prácrit*, in the *Bengal* character. Ly J.
52. *Chandrabbishéca*.
A drama, *Sanscrit* and *Prácrit*. *Bengal* character. Ly J.
53. *Ratnávali*.
A drama, *Sanscrit* and *Prácrit*. *Bengal* character. Ly J.
54. *Vicramórvasi*.
A drama, *Sanscrit* and *Prácrit*. *Bengal* character. Ly J.
55. *Manavicágnimitra*.
A drama, *Sanscrit* and *Prácrit*. *Bengal* character. Ly J.
56. A catalogue of *Sanscrit* books, on various subjects. *Dévanágari* character. Ly J.
57. *Gita* and *Dbarmánusásana*.
Two extracts from the *Máhabhárat*, with beautiful drawings, written in the *Dévanágari* character. Sir W. J.
58. *Raghuvanśa*.
The Children of the Sun, a poem by *Cálidás*, in *Bengal* character. Sir W. J.
59. *Prabódha Chandródaya*.
The Rising Moon of Knowledge, a drama by *Césava Mifra*. *Bengal* character. Sir W. J.

CHINESE.

60. *Con Fu Tfu*. The works of *Confucius*, Vol. II. III. IV. V. VI. Sir W. J.
61. *Tahia Su Shuw*. A commentary. Sir W. J.
62. *Shun Lon Su Shuw*. A commentary. Sir W. J.
63. *Hor Lon Su Shuw*. A commentary. Sir W. J.
64. *Shung Morng Su Shuw*. A commentary. Sir W. J.

51. *Cautuca Sarvaswam*; a Farce. King, *Cativatrali*; five Councillors, *Sibhtantaca*, *Dbermanala*, *Anritaserra*, *Panditapira*, *Abbavyaseta* *bava*.

65. *Hor*

65. *Hor Morng Su Shuw.* A commentary. Sir W. J.
 66. *Sbi Kin.* A book of Chinese odes. Ly J.
 67. *Lon Yu.* A grammar of the Chinese language. Ly J.
 68. *A dictionary.* Chinese and Latin. Ly J.

PERSIAN.

69. *Zafar Námeb.* A most elegant history of *Taimur*, written in the *Nisfb* character. Ly J.
 70. *Towárikb i Gujarát.* A History of the Province of *Guzerat*.
 Ly J.
 71. *Tárikb i Bahádershábi.* A History of the Emperor *Baháder Sháh*.
 Ly J.
 72. *Tárikb i Jéháncushá.* The History of *Nadir Sháh*, by *Mirza Mahádi Khan*. Ly J.
 73. *Narrative* of the Proceedings of *Scindia*, and the Confederates.
 Ly J.
 74. *Jehángir Nameb.* The History of *Jehángir Sháh*. Ly J.
 75. *Mujmel ut Tarikh i Nádiri.* An Abridgment of the History of *Nádir Sháh*. Ly J.
 76. *History of Hindostan*, by *Gholam Hussain*. Sir W. J.
 77. *Behar i Danish.* The Tales of *Ináyetulla*. Ly J.
 78. *Bostán i Kbyál.* The Garden of Imagination, an historical romance, in eight vols. Ly J.
 79. *Jámay ul Hecáyet.* A collection of tales. Written in the *Nisfb* character. Sir W. J.
 80. a. *Sháh Námeb.* The heroick poem of *Ferdosi*. Ly J.
 80. b. *Ditto.* In four volumes. Sir W. J.

68. The letters A and B must be procured from China. If the letters A and B can be supplied, the work will be inestimable. Mr. Jit Singh says, no Chinese words begin with A or B.

80. a. I finished the reading of this book a second time, November 3, 1787, Calcutta. W. J.

81. a.

81. *a. Mashnavi.* A poem, by *Jalal ud Din*, surnamed *Rumi*. Ly J.
 81. *b. Ditto.* Six volumes. Sir W. J.
 81. *c. Ditto.* First book only. Ly J.
 81. *d. Ditto.* A commentary on the first book. Ly J.
 81. *e. Ditto.* A commentary on the first book. Ly J.
 81. *f. Ditto.* A table of contents of the first book. Ly J.
 82. *a. Culyát i Jâmi.* The works of the poet *Jâmi*. Sir W. J.
 82. *b. Ditto.* The miscellaneous poems of *Jâmi*. Ly J.
 83. *Yusuf wa Zuleyca.* A poem by *Jâmi*. Ly J.
 84. *a. Culyát i Nizâmi.* The works of the poet *Nizâmi*. Sir W. J.
 84. *b. Ditto.* The five poems of *Nizâmi*. Ly J.
 85. *Culyát i Anwâri.* The works of the poet *Anwâri*. Sir W. J.
 86. *Dewân i Khosru.* The odes of *Khosru*. Sir W. J.
 87. *Dewân i Saib.* The odes of *Saib*. Sir W. J.
 88. *Dewân i Arfi.* The odes of *Arfi*. Sir W. J.
 89. *Dewân i Cásim.* The odes of *Cásim*. Ly J.
 90. *Dewân i Jâmi.* The odes of *Jâmi*.
 91. *Afrâr*; or, *Iskák Námeb.* Secrets; or, the History of Love, a Poem. Ly J.
 92. *Miscellaneous Poems.* Chiefly by *Arfi*.
 93. *Mujma uz Záya.* On the Art of Poetry. Ly J.
 94. *Mekbzen i Afrâr.* The Treasury of Secrets, a poem by *Nizâmi*. Ly J.
 95. *Dewân i Cátibi.* A book of odes. Ly J.

81. *a.* By Mahommed. Jel'alu'ddin of *Bulkb*; called *Rumi*, because he settled in the lower Asia. W. J.
 So extraordinary a book as the *Mefnavi* was never, perhaps, composed by man. It abounds with beauties, and blemishes, equally great; with gross obscenity, and pure ethicks; with exquisite strains of poetry, and flat puerilities; with wit, and pleasantry, mixed with dull jests; with ridicule on all established religions, and a vein of sublime piety: it is like a wild country in a fine climate overspread with rich flowers, and with the odour of beasts. I know of no writer, to whom the *Maulavi* can justly be compared, except *Chaucer* or *Shakespeare*. W. J.

83. Master-piece of *Jami*.

96. A

96. *A Poem*, by *Jámi*. (Imperfect.) Ly J.
 97. *Miscellaneous*, prose and verse. By *Arfi*, and others. Sir. W. J.
 98. *Sharab i Khájah Háfiz*. A commentary on the odes of *Háfiz*.
 Ly J.
 99. *Silsilat uz Zabib*. The Chain of Gold, a Poem by *Jámi*. Ly J.
 100. *Pand Námab*. Moral sentences, in verse, by *Faríd ud Din At-
 tar*. Ly J.
 101. *Baharám and Gulandám*. A love tale, by *Cátabi*. Ly J.
 102. *Farhang i Jebángiri*. A dictionary of the Persian language,
 by *Jamál ud Din Husain Anju*. Complete. Ly J.
 103. *The Grammatical Introduction to the Farhang i Jebángiri*. Ly J.
 104. *Fowáyed i Ghaniya*. A short treatise on *Persian* and *Hindu*
 grammar. Ly J.
 105. *A dictionary* of the Persian language. (No title). Ly J.
 106. *Tobfit ul Hind*. A miscellaneous treatise on the literature, &c.
 of the Hindus. Enriched with marginal notes by Sir W. J.
 107. a. *Sri Bhágavat*. A translation of No. 3. Ly J.
 107. b. *Ditto*. With drawings. Ly J.
 108. *Ramáyana*. A translation of No. 2. Ly J.
 109. *Anwári Soheili*. A Persian version of the *Hitópadesa*, by *Husain
 Vaiz*, surnamed *Cashifi*.
 110. *Arjuna Gitá*. Translation of the *Gitá*. Ly J.
 111. *Síva Purána*. Translation from the *Sanscrit*. Ly J.

102. Many corrections of this valuable work, and many additions to it, may be found in the *Sira-
 ju'lloghab*, by *Sirajaid'din arzu*; and in the *Mujman'lloghab*.

106. By *Mirza Khan*.

The book consists of an introduction, seven chapters, and a conclusion; the subject of which are:
The Hindu alphabet, prosody, rhyme, rhetoric, love, musick, women, physiognomy, and a Hindu vocabulary.

109. *Anwari Soheili*; by *Husain Vaiz*, surnamed *Cushifi*. *Nizami*, *Firdausi*, *Maulavi*, *Hafiz*, *Kha-
 kani*, *Sádi*, *Saib*, *Anwari Sohaili*, *Zafar Namah*, *Anwari*, *Khofrau*, *Jámi*.

All but *Khakani* are in my possession.

112. *Rága*

112. *Rága Darpana*. A treatise on *Hindu* musick. Translated from the *Sanscrit*. Ly J.
113. *Párijátaka*. A treatise on *Hindu* musick. Translated from the *Sanscrit*, by *Roshin Zamir*, in the reign of *Aurungzeb*. Ly J.
114. *Hazár Dharpad*. A treatise on vocal musick according to the *Hindus*. Ly J.
115. *Shams ul áfwát*. The Sun of Sounds. A treatise on *Hindu* musick. Ly J.
116. *Cefayet ut Talim*. A treatise on astronomy, by *Mahommed*, son of *Masawad Mahommed*. Ly J.
117. *Lowaib ul Kamar*. A treatise on astronomy. Ly J.
118. *Refalah Sharifah*. A treatise on astronomy. Ly J.
119. A treatise on astronomy, with tables, in the *Nisikh* character. Ly J.
120. *Sharab i Zij i Merza Ulagh Bégh*. A commentary on the tables of *Ulagh Bégh*. Ly J.
121. *Sharab i Elm i Hayát*. A commentary on the science of astronomy. Ly J.
122. Miscellaneous loose sheets on astronomy. Ly J.
123. *Tála Námeb & Sharab Tála*. Two treatises on fortune-telling. Ly J.
124. Five tracts on geometry. Ly J.
125. *Feráyez i Mahommedi*.
126. *Sharab i Burdah*. A commentary on the poems called *Burdah*. Ly J.
127. *Mirát ul Misáyebe i Mahommed Shábí*. Expositions of matters of faith and jurisprudence, compiled for the use of *Mahommed Sháb*. Ly J.
128. *Mirát ul Hakáyak*. Ly J.
129. *Sbariftiyah*. A comment on the *Sirájiyah* of *Alfáyad*, translated from the Arabick, by *Mahommed Kásim*. Ly J.

129. Read four times with great attention, February 29, 1793. W. J.

130. *Forms*

130. *Forms of oaths held binding by the Hindus*, by *Ali Ibrahim Khán*, chief magistrate at *Benaris*. Ly J.
131. *Jáma Abáfi* on Mahommedan duties. Ly J.
132. *Tokfit ul Momenain*. A dictionary of natural history. Ly J.
133. *Tarjama i Feráyez i Sirajiyah bá Fowáyed i Sharifiyah*. A translation of two works in Arabick on Mahommedan duties. Ly J.
134. *Resálab i Mofazzel*. A translation from an Arabick treatise by *Mahommed Báker*.
135. *Kitáb ul Biyua*. A law tract translated from the Arabick. Ly J.
136. *Miscellaneous Fragments*.

ARABICK.

137. a. *Al Kudúri*. Institutes of Mahommedan law, by *Abul Hasan A'hmed*, of *Bagdad*, furnamed *Al Kudúri*, of which the *Hadáyah* is a comment. Ly J.
137. b. *Ditto*. Ly J.
138. *Hedayah*. A comment on *Al Kuduri*, by *Burbán ud Din ul Marghináni*. Ly J.
139. *Fatávi Alemgiri*. Decisions collected by order of the Emperor *Aurungzeb*. Four vols. Ly J.
140. *Al Sharifiyah*. A commentary on a law book, called *Al Sarájiyah*, by *Sayad Sharif*. Ly J.
141. *Mazheb ul Imám ul Aazem Abu Hanifeh*. The religious doctrines and opinions of *Abu Hanifeh*. Ly J.

137. An abridgment, or institutes of the law of contracts; by *Abul Hafan Ahmed* of *Bajdad*, furnamed *Alkuduri*; who died Y. H. 428, Y. C. 1036.

The *Hedayah*, by *Burhanuddin Al Marghiani*, who died Y. H. 591. Y. C. 1194, is a commentary on this book.

Marghinan is in the district of *Firghana*.

140. Finished the third careful reading of this book, August 30, 1792. W. J.

142. *Cashcul*. An Asiatick Miscellany, by *Buhá ud Din al Aamili*.
Ly J.
143. *Sacardán us Sultán*. A treatise on various mystical subjects, in seven chapters, by *Shékh Ibn i Hajalah*. Ly J.
144. *Al Cáfiyah*. A grammar of the Arabick Language, by *Ibn ul Hájb*, with a commentary by *Mulá Jámi*. Ly J.
145. a. *Kámus*. A dictionary of the Arabick language. Sir W. J.
145. b. *Ditto*. Ly J.
146. *Al Kbuláset*. A grammar of the Arabick language. Ly J.
147. *Two treatises* on Arabick grammar. Ly J.
148. *A treatise* on Arabick grammar. Ly J.
149. *A dictionary* of the Arabick language. Ly J.
150. *Elm i Hindisa*. A treatise on geometry, by *Bu Ali Séna*. Ly J.
151. *A treatise* on geometry, with tables.
152. *Al Mutálab ul Hafani*. Propositions in theology. Ly J.
153. *Hamasah*. Ancient Arabian poems, collected by *Abu Timmám*.
Sir W. J.
154. *Al Motanábi*. The poems of *Abu Taib*, furnamed *Al Motanábi*.
Sir W. J.
155. *Dewán i Ali*. The poems of *Ali*. Sir W. J.
156. *Dewán ul A'shak*. A book of poems. Sir W. J.
157. *Sharab i akáyad i Mulá Saduddin*. A commentary on the *Akáyad*, by *Saduddin*. Sir W. J.

153. This book was copied by *Abdullah* of *Mecca*, from a manuscript on transparent paper traced at *Oxford*, from * an estimable copy of the *Hamasah*, which *Pocock* had brought from *Aleppo*, and on which he set a high value. I gave ten guineas to the boy who traced it, and I value this book, at least, at twenty guineas. W. J. November 26, 1788.

154. I received this valuable manuscript by the hands of Mr. Howard, to whose care it was intrusted in June, 1774, at Venice, by Mr. Wortley Montague. It was a present from *Abderrehman Beg*, who wrote the Arabick verses in this page, which are so flattering to me, that I can hardly translate them without blushing. W. J. October 2, 1794.

* On in the original.

158. *Sharab*

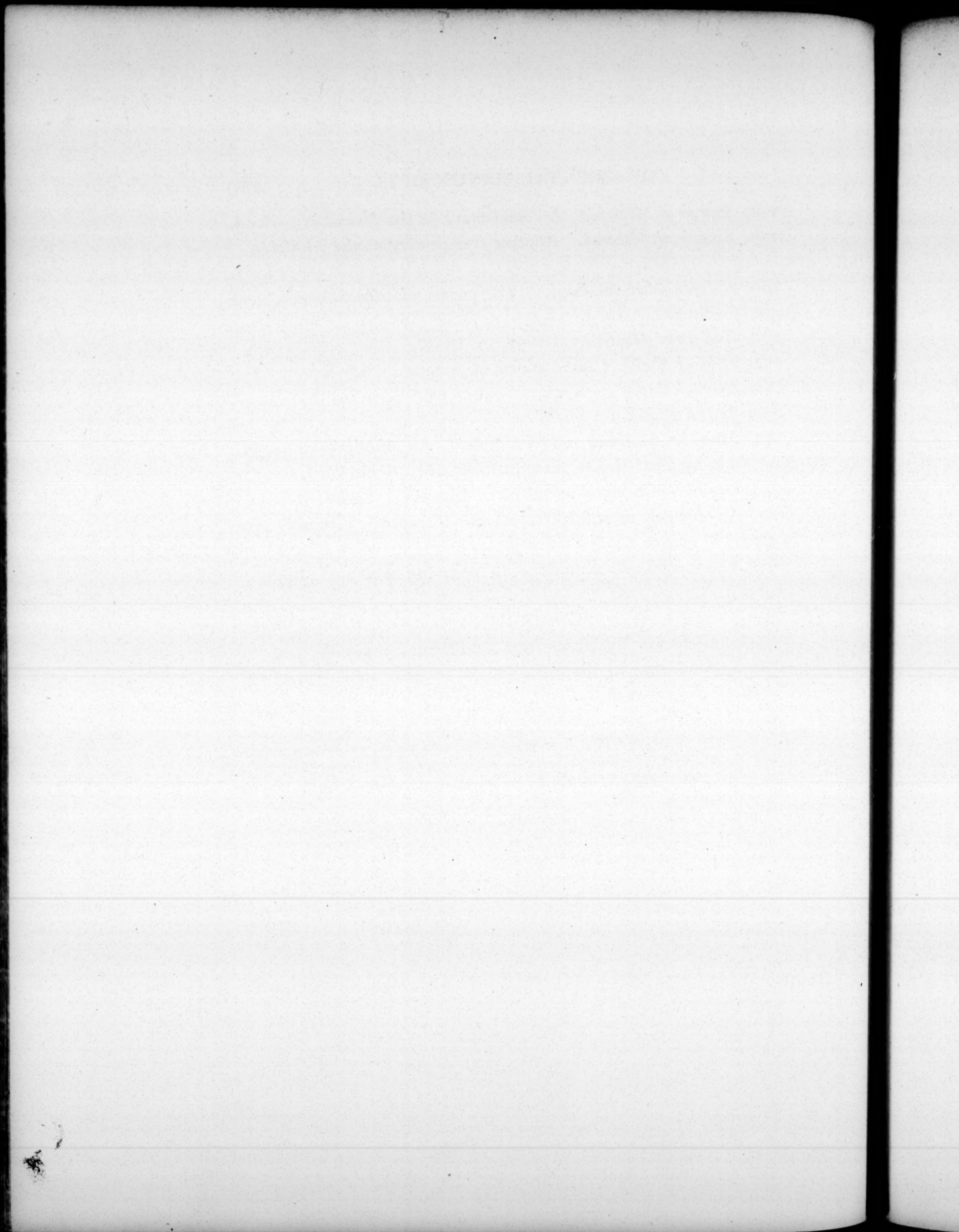
158. *Sharab ul Moalakát.* A commentary on the *Moalakát.* Ly J.
 159. *Sharab ul Mobarak.* Another commentary on the *Moalakát.* Ly J.
 160. *Kasáyed jabab moalakab.* The poems of *Almutálamis*, most elegantly written. Ly J.
 161. *Kasáyed ul Musabba.* Poems. Ly J.
 162. *A'dábul Malúk.* The manners of princes. Ly J.
 163. *Behr ul Basít.* Ly J.
 164. *Taif ul Kbiyal.* Sir W. J.
 165. *Moruj uz zeheb wa maaden ul Jóber.* An historical and geographical work, by *Abul Hassán*, furnamed *Masaudi.* Sir W. J.
 166. *Haríri.* The moral discourses of *Haríri.* Sir W. J.
 167. An Arabick manuscript traced on oil-paper. (Probably that mentioned in note to 153.) Ly J.
 168. A new copy of a manuscript, in sheets (no name). Ly J.

HINDOSTANI.

169. *GULISTAN.* Translated from the Persian. Sir W. J.
 170. A commentary on the *Grunt'ba*, the religious institution of the *Sic'hs*, in the *Nágari* character. Ly J.

169. Bufteram Shahzadah, the assistant of the college of *Sic'hs* at Calcutta, was produced as a witness to ground a motion for commission to examine a woman of high rank. The *Grunt'ba* was not in court, but he read this book with ease, and said it was a religious work, containing extracts from the *Grunt'ba.* November 15.

The *Grunt'ha*, a very thick 4to volume in this hand, was produced, and the *Sic'hs* sworn by it.



AN
ESSAY

ON

THE LAW OF BAILMENTS.

In tutelis, societatibus, *fiduciis, mandatis*, rebus emptis-venditis, *conductis-locatis*, quibus vitæ societas continetur, magni est judicis statuere (præsertim cùm in plerisque sint judicia contraria), *quid quemque cuique præstare oporteat*.

Q. SCÆVOLA, apud CIC. de Offic. lib. III.

ESSAY

THE LAW OF BAILMENTS.



Printed by the British Museum Press, London.
The British Museum Press, London.
The British Museum Press, London.

AN
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ON
THE LAW OF BAILMENTS.

HAVING lately had occasion to examine with some attention the nature and properties of that contract, which lawyers call BAILMENT, or, *A delivery of goods on a condition, expressed or implied, that they shall be restored by the bailee to the bailor, or according to his directions, as soon as the purpose, for which they were bailed, shall be answered,* I could not but observe with surprise, that a title in our ENGLISH law, which seems the most generally interesting, should be the least generally understood, and the least precisely ascertained. Hundreds and thousands of men pass through life, without knowing, or caring to know, any of the numberless niceties, which attend our abstruse, though elegant, system of real property, and without being at all acquainted with that exquisite logick, on which our rules of special pleading are founded; but there is hardly a man of any age or station, who does not every week and almost every day contract the obligations or acquire the rights of a *hirer* or a *letter to hire*, of a *borrower* or a *lender*, of a *depository* or a person *depositing*, of a *commissioner* or an *employer*, of a *receiver* or a *giver*, in *pledge*; and what can be more absurd, as well as more dangerous, than frequently to be bound by duties, without knowing the nature or extent of them,

and

and to enjoy rights, of which we have no just idea? Nor must it ever be forgotten, that the contracts above-mentioned are among the principal springs and wheels of civil society; that, if a want of mutual confidence, or any other cause, were to weaken them or obstruct their motion, the whole machine would instantly be disordered or broken to pieces: preserve them, and various accidents may still deprive men of happiness; but destroy them, and the whole species must infallibly be miserable. It seems therefore astonishing, that so important a branch of jurisprudence should have been so long and so strangely unsettled in a great commercial country; and that, from the reign of ELIZABETH to the reign of ANNE, *the doctrine of bailments* should have produced more contradictions and confusion, more diversity of opinion and inconsistency of argument, than any other part, perhaps, of juridical learning; at least, than any other part equally simple.

Such being the case, I could not help imagining, that a short and perspicuous discussion of this title, an exposition of all our ancient and modern decisions concerning it, an attempt to reconcile judgments apparently discordant, and to illustrate our laws by a comparison of them with those of other nations, together with an investigation of their true spirit and reason, would not be wholly unacceptable to the student of *English* law; especially as our excellent BLACKSTONE, who of all men was best able to throw the clearest light on this, as on every other, subject, has comprised the whole doctrine in three paragraphs, which, without affecting the merit of his incomparable work, we may safely pronounce the least satisfactory part of it; for he represents *lending* and *letting to hire*, which are *bailments* by his own definition, as contracts of a *distinct species*; he says nothing of employment by *commission*; he introduces the doctrine of a *distress*, which has an analogy to a *pawn*, but is not properly

perly *bailed*; and, on the great question of *responsibility for neglect*, he speaks so loosely and indeterminately, that no fixed ideas can be collected from his words*. His commentaries are the most correct and beautiful outline, that ever was exhibited of any human science; but they alone will no more form a lawyer, than a general map of the world, how accurately and elegantly soever it may be delineated, will make a geographer: if, indeed, all the titles, which he professed only to sketch in elementary discourses, were filled up with exactness and perspicuity, *Englishmen* might hope at length to possess a digest of their laws, which would leave but little room for controversy, except in cases depending on their particular circumstances; a work, which every lover of humanity and peace must anxiously wish to see accomplished. The following essay (for it aspires to no higher name) will explain my idea of supplying the omissions, whether designed or involuntary, in the Commentaries on the LAWS of ENGLAND.

I propose to begin with treating the subject *analytically*, and, having traced every part of it up to the first principles of natural reason, shall proceed *historically*, to show with what perfect harmony those principles are recognised and established by other nations, especially the ROMANS, as well as by our ENGLISH courts, when their decisions are properly understood and clearly distinguished; after which I shall resume *synthetically* the whole learning of *bailments*, and expound such rules, as, in my humble apprehension, will prevent any farther perplexity on this interesting title, except in cases very peculiarly circumstanced.

From the obligation, contained in the definition of bailment, *to restore the thing bailed at a certain time*, it follows, that the baillee must *keep it*,

* 2 Comm. 452, 453, 454.

and

and be *responsible* to the bailor, *if it be lost or damaged*; but, as the bounds of justice would in most cases be transgressed, if he were made answerable for the loss of it *without his fault*, he can only be obliged to keep it with a degree of *care proportioned to the nature of the bailment*; and the investigation of this *degree* in every particular contract is the problem, which involves the principal difficulty.

There are infinite shades of *care* or *diligence* from the slightest momentary thought, or transient glance of attention, to the most vigilant anxiety and sollicitude; but *extremes* in this case, as in most others, *are inapplicable to practice*: the first extreme would seldom enable the baillee to perform the condition, and the second ought not in justice to be demanded; since it would be harsh and absurd to exact the same anxious care, which the greatest miser takes of his treasure, from every man, who borrows a book or a seal. The degrees then of care, for which we are seeking, must lie somewhere between these extremes; and, by observing the different manners and characters of men, we may find a certain standard, which will greatly facilitate our inquiry; for, although some are excessively careless, and others excessively vigilant, and some through life, others only at particular times, yet we may perceive, that *the generality of rational men* use nearly the same degree of diligence in the conduct of *their own* affairs; and this care, therefore, which *every person of common prudence and capable of governing a family* takes of *his own* concerns, is a proper measure of that, which would uniformly be required in performing every contract, if there were not strong reasons for *exacting* in some of them a *greater*, and *permitting* in others a *less*, degree of attention. Here then we may fix a constant determinate point, on each side of which there is a series consisting of variable terms tending indefinitely towards the above-mentioned extremes, in proportion as the case admits of indulgence or demands rigour: if the construction be *favourable*, a degree of care *less* than the
standard

standard will be sufficient; if *rigorous*, a degree *more* will be required; and, in the first case, the measure will be that care, which *every man of common sense, though absent and inattentive*, applies to his own affairs; in the second, the measure will be that attention, which a man *remarkably exact and thoughtful* gives to the securing of his personal property.

The fixed mode or standard of diligence I shall (for want of an apter epithet) invariably call ORDINARY; although that word is equivocal, and sometimes involves a notion of degradation, which I mean wholly to exclude; but the unvaried use of the word in one sense will prevent the least obscurity. The degrees on each side of the standard, being indeterminate, need not be distinguished by any precise denomination: the first may be called LESS, and the second, MORE, THAN ORDINARY diligence.

Superlatives are exactly true in mathematicks; they approach to truth in abstract morality; but in practice and actual life they are commonly false: they are often, indeed, used for mere *intensives*, as *the most diligent* for *very diligent*; but this is a rhetorical figure; and, as rhetorick, like her sister poetry, delights in fiction, her language ought never to be adopted in sober investigations of truth: for this reason I would reject from the present inquiry all such expressions as *the utmost care, all possible, or all imaginable, diligence*, and the like, which have been the cause of many errors in the code of ancient ROME, whence, as it will soon be demonstrated, they have been introduced into our books even of high authority.

Just in the same manner, there are infinite shades of *default* or *neglect*, from the slightest inattention or momentary absence of mind to the most reprehensible supineness and stupidity: these are the
omissions

omissions of the before-mentioned degrees of diligence, and are exactly correspondent with them. Thus the omission of that care, *which every prudent man takes of his own property*, is the determinate point of negligence, on each side of which is a series of variable modes of default infinitely diminishing, in proportion as their opposite modes of care infinitely increase; for the want of extremely great care is an extremely little fault, and the want of the slightest attention is so considerable a fault, that it almost changes its nature, and nearly becomes in theory, as it exactly does in practice, a breach of trust and a deviation from common honesty. This known, or fixed, point of negligence is therefore a mean between *fraud* and *accident*; and, as the increasing series continually approaches to the first extreme, without ever becoming precisely equal to it, until the last term melts into it or vanishes, so the decreasing series continually approximates to the second extreme, and at length becomes nearer to it than any assignable difference: but the last terms being, as before, excluded, we must look within them for modes applicable to practice; and these we shall find to be the omissions of such care as *a man of common sense, however inattentive*, and of such as a *very cautious and vigilant* man, respectively take of *their own possessions*.

The constant, or fixed, mode of *default* I likewise call ORDINARY, not meaning by that epithet to diminish the culpability of it, but wanting a more apposite word, and intending to use this word uniformly in the same sense: of the two variable modes the first may be called GREATER, and the second, LESS, THAN ORDINARY, or the first GROSS, and the other, SLIGHT neglect.

It is obvious, that a bailee of common honesty, if he also have common prudence, would not be *more negligent than ordinary* in keeping the thing bailed: such negligence (as we before have intimated)

mated) would be a violation of good faith, and a proof of an intention to defraud and injure the bailor.

It is not less obvious, though less pertinent to the subject, that infinite degrees of *fraud* may be conceived increasing in a series from the term, where *gross neglect* ends, to a term, where positive *crime* begins; as *crimes* likewise proceed gradually from the lightest to the most atrocious; and, in the same manner, there are infinite degrees of *accident* from the limit of extremely slight neglect to a *force irresistible* by any human power. Law, as a practical science, cannot take notice of melting lines, nice discriminations, and evanescent quantities; but it does not follow, that *neglect*, *deceit*, and *accident*, are to be considered as indivisible points, and that *no degrees whatever* on either side of the standard are admissible in legal disquisitions.

Having discovered the several modes of *diligence*, which may justly be demanded of contracting parties, let us inquire in what particular cases a bailee is by natural law bound to use them, or to be answerable for the omission of them.

When the contract is *reciprocally beneficial to both parties*, the obligation hangs in an even balance; and there can be no reason to recede from the standard: nothing more, therefore, ought in that case to be required than *ordinary diligence*, and the bailee should be responsible for no more than *ordinary neglect*; but it is very different, both in reason and policy, when *one* only of the contracting parties derives advantage from the contract.

If the *bailor only* receive benefit or convenience from the bailment, it would be hard and unjust to require any particular trouble from the

bailee, who ought not to be molested unnecessarily for his obliging conduct: if more, therefore, than *good faith* were exacted from such a person, that is, if he were to be made answerable for less than *gross* neglect, few men after one or two examples, would accept goods on such terms, and social comfort would be proportionably impaired.

On the other hand, when the *bailee alone* is benefited or accommodated by his contract, it is not only reasonable, that he, *who receives the benefit, should bear the burden*, but, if he were not obliged to be *more than ordinarily* careful, and bound to answer even for *slight* neglect, few men (for acts of pure generosity and friendship are not here to be supposed) would part with their goods for the mere advantage of another, and much convenience would consequently be lost in civil society.

This distinction is conformable not only to natural reason, but also, by a fair presumption, to the *intention of the parties*, which constitutes the genuine law of all contracts, when it contravenes no maxim of morals or good government; but, when a different intention is *expressed*, the rule (as in devises) yields to it; and a bailee without benefit may, by a special undertaking, make himself liable for *ordinary*, or *slight*, neglect, or even for inevitable *accident*: hence, as an agreement, *that a man may safely be dishonest*, is repugnant to decency and morality, and, as no man shall be *presumed* to bind himself against *irresistible force*, it is a just rule, that *every* bailee is responsible for *fraud*, even *though* the contrary be stipulated, but that *no* bailee is responsible for *accident*, *unless* it be most expressly so agreed.

The plain elements of natural law, on the subject of responsibility for neglect, having been traced by this short analysis, I come to the second, or *historical*, part of my essay; in which I shall demonstrate,
after

after a few introductory remarks, that a perfect harmony subsists on this interesting branch of jurisprudence in the codes of nations most eminent for legal wisdom, particularly of the ROMANS and the ENGLISH.

Of all known laws the most ancient and venerable are those of the JEWS ; and among the *Mosaick* institutions we have some curious rules on the very subject before us ; but, as they are not numerous enough to compose a system, it will be sufficient to interweave them as we go along, and explain them in their proper places : for a similar reason, I shall say nothing here of the *Attick* laws on this title, but shall proceed at once to that nation, by which the wisdom of ATHENS was eclipsed, and her glory extinguished.

The decisions of the old *Roman* lawyers, collected and arranged in the sixth century by the order of JUSTINIAN, have been for ages, and in some degree still are, in bad odour among *Englishmen* : this is an honest prejudice, and flows from a laudable source ; but a prejudice, most certainly, it is, and, like all others, may be carried to a culpable excess.

The constitution of ROME was originally excellent ; but, when it was settled, as historians write, by AUGUSTUS, or, in truer words, when that base dissembler and cold-blooded assassin C. *Octavius* gave law to millions of honest, wiser, and braver men than himself by the help of a profligate army and an abandoned senate, the new form of government was in itself absurd and unnatural ; and the *lex regia*, which concentrated in the prince all the powers of the state both executive and legislative, was a tyrannous ordinance, with the name only, not the nature, of a law* ; had it even been voluntarily conceded, as it was in truth forcibly extorted, it could not have bound the sons of

* D. I. 4. 1.

those

those who consented to it; for “ a renunciation of *personal* rights, “ especially rights of the highest nature, can have no operation beyond “ the *persons* of those, who renounce them.” Yet, iniquitous and odious as the *settlement* of the constitution was, ULPIAN only spoke in conformity to it, when he said that “ the will of the prince had the “ force of law ;” that is, as he afterwards explains himself, *in the ROMAN empire*; for he neither meant, nor could be mad enough to mean, that the proposition was just or true as a general maxim. So congenial, however, was this rule or sentence, ill understood and worse applied, to the minds of our early NORMAN kings, that some of them, according to Sir JOHN FORTESCUE, “ were not pleased with their “ own laws, but exerted themselves to introduce the civil laws of “ *Rome* into the government of ENGLAND *;” and so hateful was it to our sturdy ancestors, that, if JOHN of SALISBURY be credited, “ they burned and tore all such books of civil and canon law as fell into “ their hands†:” but this was intemperate zeal; and it would have been sufficient to improbate the *publick*, or *constitutional*, maxims of the *Roman* imperial law, as absurd in themselves as well as inapplicable to our free government, without rejecting the whole system of *private* jurisprudence as incapable of answering even the purpose of illustration. Many *positive* institutions of the *Romans* are demonstrated by FORTESCUE, with great force, to be far surpassed in justice and sense by our own immemorial customs; and the rescripts of SEVERUS or CARACALLA, which were laws, it seems, at *Rome*, have certainly no kind of authority at *Westminster*; but, in questions of *rational* law, no cause can be assigned, why we should not shorten our own labour by resorting occasionally to the wisdom of ancient jurists, many of whom were the most ingenious and sagacious of men. What is good sense, in one age, must be good sense, all circumstances remaining, in

* *De Laud. Leg. Angl.* c. 33, 34.

† *Seld. in Fort.* c. 33.

another ;

another ; and pure unsophisticated reason is the same in ITALY and in ENGLAND, in the mind of a PAPINIAN and of a BLACKSTONE.

Without undertaking, therefore, in all instances, to reconcile NERVA with PROCULUS, LABEO with JULIAN, and GAIUS either with CELSUS or with himself, I shall proceed to exhibit a summary of the *Roman* law on the subject of *responsibility for neglect*.

The two great sources, whence all the decisions of civilians on this matter must be derived, are *two* laws of ULPIAN ; the first of which is taken from his work on *Sabinus*, and the second from his tract on the Edict : of both these laws I shall give a verbal translation according to my apprehension of their obvious meaning, and shall then state a very learned and interesting controversy concerning them, with the principal arguments on each side, as far as they tend to elucidate the question before us.

“ Some contracts, says the great writer on *Sabinus*, make the party
 “ responsible for DECEIT ONLY ; some, for both DECEIT AND NEG-
 “ LECT. Nothing more than *responsibility for DECEIT is demanded* in
 “ DEPOSITS and POSSESSION AT WILL ; both DECEIT AND NEGLECT
 “ *are inhibited* in COMMISSIONS, LENDING FOR USE, CUSTODY AFTER
 “ SALE, TAKING IN PLEDGE, HIRING ; also in PORTIONS, GUAR-
 “ DIANSHIPS, VOLUNTARY WORK : (among these some *require* even
 “ *more than ordinary* DILIGENCE). PARTNERSHIP and UNDIVIDED
 “ PROPERTY make *the partner and joint-proprietor* answerable for both
 “ DECEIT AND NEGLIGENCE*.”

* Contractus quidam DOLUM malum DUNTAXAT recipiunt ; quidam, et DOLUM ET CULPAM. DOLUM tantum DEPOSITUM et PRECARIUM ; DOLUM ET CULPAM, MANDATUM, COMMODATUM, VENDITUM, PIGNORI ACCEPTUM, LOCATUM ; item DOTISDATIO, TUTELÆ, NEGOTIA GESTA : (in his QUIDAM et DILIGENTIAM). SOCIETAS et RERUM COMMUNIO et DOLUM ET CULPAM recipit. D. 50. 17. 23.

“ In

“ In contracts, says the same author in his other work, we are
 “ sometimes responsible for DECEIT ALONE; sometimes, for NEG-
 “ LECT ALSO; for DECEIT ONLY in DEPOSITS; because, since NO
 “ BENEFIT accrues to the depositary, he can justly be answerable for
 “ no more than DECEIT; but, if a REWARD happen to be given, then
 “ *a responsibility for* NEGLECT ALSO is required; or, if it be agreed at
 “ the time of the contract, that the depositary shall answer both for
 “ NEGLECT and for ACCIDENT: but, where A BENEFIT accrues to
 “ BOTH parties, as in KEEPING A THING SOLD, as in HIRING, as in
 “ PORTIONS, as in PLEDGES, as in PARTNERSHIP, both DECEIT AND
 “ NEGLECT make the party liable. LENDING FOR USE, indeed, is
 “ for the most part BENEFICIAL to the BORROWER ONLY; and, for
 “ this reason, the better opinion is that of Q. MUCIUS, who thought,
 “ that HE should be responsible not only for NEGLECT, but even for
 “ the omission of *more than ordinary* DILIGENCE*.”

One would scarce have believed it possible, that there could have been two opinions on laws so perspicuous and precise, composed by the same writer, who was indubitably the best expositor of his own doctrine, and apparently written in illustration of each other; the first comprising the rule, and the second containing the reason of it: yet the single passage extracted from the book on SABINUS has had no fewer than twelve particular commentaries in *Latin*†, one or two in

* In contractibus interdum DOLUM SOLUM, interdum ET CULPAM, præstamus; DOLUM in DEPOSITO; nam, quia NULLA UTILITAS ejus versatur, apud quem deponitur, merito DOLUS præstatur SOLUS; nisi fortè et MERCES accessit, tunc enim, ut est et constitutum, ETIAM CULPA exhibetur; aut, si hoc ab initio convenit, ut et CULPAM et PERICULUM præstet is, penes quem deponitur: sed, ubi UTRIUSQUE UTILITAS vertitur, ut in EMPTO, ut in LOCATO, ut in DOTE, ut in PIGNORE, ut in SOCIETATE, et DOLUS ET CULPA præstatur. COMMODATUM autem plerumque SOLAM UTILITATEM continet ejus, CUI COMMODATUR; et ideo verior est Q. MUCII sententia existimantis et CULPAM præstandam et DILIGENTIAM. D. 13. 6. 5. 2.

† BOCERUS, CAMPANUS, D'AVEZAN, DEL RIO, LE CONTE, RITTERSHUSIUS, GIPHANIUS, J. GODEFROI, and others.

Greek,

*Greek**, and some in the *modern* languages of EUROPE, besides the general expositions of that important part of the digest, in which it is preserved. Most of these I have perused with more admiration of human sagacity and industry than either solid instruction or rational entertainment; for these authors, like the generality of commentators, treat one another very roughly on very little provocation, and have the art rather of clouding texts in themselves clear, than of elucidating passages, which have any obscurity in the words or the sense of them. CAMPANAS, indeed, who was both a lawyer and a poet, has turned the first law of *Ulpian* into *Latin* hexameters; and his authority, both in prose and verse, confirms the interpretation, which I have just given.

The chief causes of all this perplexity have been, first, the vague and indistinct manner in which the old *Roman* lawyers, even the most eminent, have written on the subject; secondly, the loose and equivocal sense of the words DILIGENTIA and CULPA; lastly and principally, the darkness of the parenthetical clause IN HIS QUIDAM ET DILIGENTIAM, which has produced more doubt, as to its true reading and signification, than any sentence of equal length in any author *Greek* or *Latin*. Minute as the question concerning this clause may seem, and dry as it certainly is, a short examination of it appears absolutely necessary.

The vulgate editions of the pandects, and the manuscripts, from which they were printed, exhibit the reading above set forth; and it has accordingly been adopted by CUJAS, P. FABER, LE CONTE, DONELLUS, and *most* others, as giving a sense both perspicuous in itself and consistent with the second law; but the FLORENTINE copy

* The scholium on *Hermenopulus*, l. 6. tit. de Reg. Jur. n. 55. may be considered as a commentary on this law.

has *quidem*, and the copies, from which the *Basilica* were translated three centuries after JUSTINIAN, appear to have contained the same word, since the *Greeks* have rendered it by a particle of similar import. This variation in a single letter makes a total alteration in the whole doctrine of ULPIAN; for, *if* it be agreed, that *diligentia* means, by a figure of speech, *a more than ordinary degree of diligence*, the common reading will imply, conformably with the second law before cited, that “SOME of the preceding contracts demand that higher degree;” but the *Florentine* reading will denote, in contradiction to it, that “ALL of them require more than ordinary exertions.”

It is by no means my design to depreciate the authority of the venerable manuscript preserved at *Florence*; for, although few civilians, I believe, agree with POLITIAN, in supposing it to be one of the *originals*, which were sent by *Justinian* himself to the principal towns of *Italy**, yet it may *possibly* be the very book, which the Emperor LOTHARIUS II. is *said* to have found at *Amalfi* about the year 1130, and gave to the citizens of PISA, from whom it was taken, near three hundred years after, by the *Florentines*, and has been kept by them with superstitious reverence†: be that as it may, the copy deserves the highest respect; but, if any proof be requisite, that it is *no faultless* transcript, we may observe, that, in the very law before us, *accedunt* is erroneously written for *accidunt*; and the whole phrase, indeed, in which that word occurs, is different from the copy used by the *Greek* interpreters, and conveys a meaning, as BOCERUS and others have remarked, not supportable by any principle or analogy.

This, too, is indisputably clear; that the sentence *in his QUIDEM et diligentiam*, is ungrammatical, and cannot be construed according to the

* Epist. x. 4. Miscell. cap. 41. See Gravina, lib. i. § 141.

† Taurelli, Præf. ad Pand. Florent.

interpretation,

interpretation, which some contend for. What verb is understood? *Recipiunt*. What noun? *Contractus*. What then becomes of the words *in his*, namely *contractibus*, unless *in* signify *among*? And, in that case, the difference between *QUIDEM* and *QUIDAM* vanishes; for the clause may still import, that “AMONG the preceding contracts (that is, *in* “SOME of them), more than usual diligence is exacted:” in this sense the *Greek* preposition seems to have been taken by the scholiast on *HARMENOPULUS*; and it may here be mentioned, that *diligentia*, in the nominative, appears in some old copies, as the *Greeks* have rendered it; but *ACCURSIUS*, *DEL RIO*, and a few others, consider the word as implying no more than diligence *in general*, and distinguish it into various *degrees* applicable to the several contracts, which *ULPIAN* enumerates. We may add, that one or two interpreters thus explain the whole sentence, “in his *contractibus* quidam *jurisconsulti* et diligentiam *requirunt*,” but this interpretation, if it could be admitted, would entirely destroy the authority of the clause, and imply, that *Ulpian* was of a different opinion. As to the last conjecture, that only *certain cases* and *circumstances* are meant by the word *QUIDAM*, it scarce deserves to be repeated. On the whole, I strongly incline to prefer the vulgate reading, especially as it is not conjectural, but has the authority of manuscripts to support it; and the mistake of a letter might easily have been made by a transcriber, whom the prefaces, the epigram prefixed, and other circumstances, prove to have been, as *Taurelli* himself admits, a *Greek*. Whatever, in short, be the genuine words of this much-controverted clause, I am persuaded, that it ought by no means to be strained into an inconsistency with the *second* law; and this has been the opinion of *most* foreign jurists from *AZO* and *ALCIAT* down to *HEINECCIUS* and *HUBER*; who, let their dissension be, on other points, ever so great, think alike in distinguishing *three degrees* of neglect, which we may term *gross*, *ordinary*, and *slight*, and in demanding responsibility for those degrees according to the rule before expounded.

The law then on this head, which prevailed in the ancient *Roman* empire, and still prevails in *Germany, Spain, France, Italy, Holland*, constituting, as it were, a part of the law of nations, is in substance what follows.

Gross neglect, *lata culpa*, or, as the *Roman* lawyers most accurately call it, *dolo proxima*, is in practice considered as equivalent to *DOLUS*, or *FRAUD*, itself; and consists, according to the best interpreters, in the omission of that care, which even inattentive and thoughtless men never fail to take of their own property: this fault they justly hold a violation of good faith.

Ordinary neglect, *levis culpa*, is the want of that diligence, which the generality of mankind use in their own concerns; that is, of ordinary care.

Slight neglect, *levissima culpa*, is the omission of that care, which very attentive and vigilant persons take of their own goods, or, in other words, of very exact diligence.

Now, in order to ascertain the degree of neglect, for which a man, who has in his possession the goods of another, is made responsible by his contract, either *express* or *implied*, civilians establish three principles, which they deduce from the law of *Ulpian* on the *Edict*; and here it may be observed, that they frequently distinguish this law by the name of *Si ut certo*, and the other by that of *Contractus**; as many poems and histories in ancient languages are denominated from their initial words.

* Or l. 5. § 2. ff. *Commod.* and l. 23. ff. *de reg. jur.* Instead of *ff*, which is a barbarous corruption of the initial letter of *paradisi*, many write *D*, for *Digest*, with more clearness and propriety.

First:

First: In contracts, which are beneficial *solely* to the owner of the property holden by another, no more is demanded of the holder than *good faith*, and he is consequently responsible for nothing less than *gross* neglect: this, therefore, is the general rule in DEPOSITS; but, in regard to COMMISSIONS, or, as foreigners call them, MANDATES, and the implied contract *negotiorum gestorum*, a certain care is requisite from *the nature of the thing*; and, as *good faith* itself demands, that such care be proportioned to the exigence of each particular case, the law *presumes*, that the mandatary or commissioner, and, by parity of reason, the *negotiorum gestor*, engaged at the time of contracting to use a degree of diligence *adequate to the performance of the work undertaken**.

Secondly: In contracts *reciprocally* beneficial to *both* parties, as in those of SALE, HIRING, PLEDGING, PARTNERSHIP, and the contract implied in JOINT-PROPERTY, such care is exacted, as *every prudent man commonly takes of his own goods*; and, by consequence, the *vendor*, the *hirer*, the *taker in pledge*, the *partner*, and the *co-proprietor*, are answerable for *ordinary* neglect.

Thirdly: In contracts, from which a benefit accrues *only* to him, who has the goods in his custody, as in that of LENDING FOR USE, an *extraordinary* degree of care is demanded; and the *borrower* is, therefore, responsible for *slight* negligence.

This had been the learning generally, and almost unanimously, received and taught by the doctors of *Roman* law; and it is very remarkable, that even ANTOINE FAVRE, or *Faber*, who was famed for innovation and paradox, who published two ample volumes *De Erroribus Interpretum*, and whom GRAVINA justly calls *the boldest of expositors* and

* *Spondet diligentiam*, say the *Roman* lawyers, *gerendo negotio parem*.

the keenest adversary of the practisers *, discovered no error in the common interpretation of two celebrated laws, which have so direct and so powerful an influence over social life, and which he must repeatedly have considered: but the younger GODEFROI of Geneva, a lawyer confessedly of eminent learning, who died about the middle of the last century, left behind him a regular *commentary* on the law *Contractus*, in which he boldly combats the sentiments of all his predecessors, and even of the ancient *Romans*, and endeavours to support a new system of his own.

He adopts, in the first place, the *Florentine* reading, of which the student, I hope, has formed by this time a decided opinion from a preceding page of this essay.

He censures the rule comprised in the law *Si ut certo* as weak and fallacious, yet admits, that the rule, which He condemns, had the approbation and support of MODESTINUS, of PAULUS, of AFRICANUS, of GAIUS, and of the great PAPINIAN himself; nor does he satisfactorily prove the *fallaciousness*, to which he objects, unless every rule be fallacious, to which there are some exceptions. He understands by DILIGENTIA that care, which *a very attentive and vigilant man* takes of his own property; and he demands this care in *all* the eight contracts, which immediately precede the disputed clause: in the *two*, which follow it, he requires no more than *ordinary* diligence. He admits, however, the *three* degrees of neglect above stated, and uses the common epithets *levis* and *levissima*; but, in order to reconcile his system with many laws, which evidently oppose it, he ascribes to the old lawyers the wildest mutability of opinion, and is even forced to contend, that ULPIAN himself *must have changed his mind*.

* Orig. Jur. Civ. lib. i. § 183.

Since

Since his work was not published, I believe, in his life-time, there may be reason to suspect, that he had not completely settled *his own* mind; and he concludes, indeed, with referring the decision of every case on this head to that most dangerous and most tremendous power, *the discretion of the judge**.

The *triple* division of neglects had also been highly censured by some lawyers of reputation. ZASIUS had very justly remarked, that neglects differed in *degree*, but not in *species*; adding, "that he had no objection "to the use of the words *levis* and *levissima*, merely as terms of practice "adopted in courts, for the more easy distinction between the different "degrees of care exacted in the performance of different contracts †:" but DONELLUS, in opposition to his master *Duaren*, insisted that *levis* and *levissima* differed in sound only, not in sense; and attempted to prove his assertion triumphantly by a regular syllogism‡; the minor proposition of which is raised on the figurative and inaccurate manner, in which positives are often used for superlatives, and conversely, even by the best of the old *Roman* lawyers. True it is, that, in the law *Contractus*, the division appears to be *two-fold* only, *DOLUS* and *CULPA*; which differ in *species*, when the first means *actual fraud and malice*, but in *degree* merely, when it denotes no more than *gross neglect*; and, in either case, the second branch, being capable of *more* and *less*, may be subdivided into *ordinary* and *slight*; a subdivision, which the law *Si ut certo* obviously requires: and thus are both laws perfectly reconciled.

* "Ego certè hac in re censentibus accedo, vix quidquam generalius definiri posse; remque hanc "ad *arbitrium judicis*, prout res est, referendam." p. 141.

† *ZAS. Singul. Resp.* lib. i. cap. 2.

‡ "Quorum definitiones eadem sunt, ea inter se sunt eadem; *levis* autem culpæ et *levissima* una "et eadem definitio est: utraque igitur culpa eadem." *Comm. Jur. Civ.* lib. xvi. cap. 7.

We may apply the same reasoning, changing what should be changed, to the *triple* division of *diligence*; for, when *good faith* is considered as implying at least the exertion of *slight* attention, the other branch, *Care*, is subdivisible into *ordinary* and *extraordinary*; which brings us back to the number of degrees already established both by the analysis and by authority.

Nevertheless, a system, in one part entirely new, was broached in the present century by an advocate in the parliament of PARIS, who may, probably, be now living, and, possibly, in that professional station, to which his learning and acuteness justly entitle him. I speak of M. LE BRUN, who published, not many years ago, an *Essay on Responsibility for Neglect* *, which he had nearly finished, before he had seen the commentary of *Godefroi*, and, in all probability, without ever being acquainted with the opinion of *Donellus*.

This author sharply reproves the *triple* division of neglects, and seems to disregard the rule concerning a benefit arising to *both*, or to *one*, of the contracting parties; yet he charges *Godefroi* with a want of due clearness in his ideas, and with a palpable misinterpretation of several laws. He reads in *his quidam et diligentiam*; and that with an air of triumph; insinuating, that *quidam* was only an artful conjecture of *Cujas* and *Le Conte*, for the purpose of establishing *their* system; and he supports *his own* reading by the authority of the *BASILICA*; an authority, which, on another occasion, he depreciates. He derides the absurdity of *permitting negligence* in any contract, and urges, that such *permission*, as he calls it, is against express law: “now, says he, where a contract is beneficial to both parties, the doctors permit *slight negligence*, which, how slight soever, is still *negligence*, and ought always to be inhibited.” He warmly contends, that the *ROMAN* laws,

* *Essai sur la Prestation des Fautes*, à Paris, chez Saugrain, 1764.

properly

properly understood, admit only *two* degrees of diligence; one, measured by that, which a *provident and attentive father of a family* uses in his own concerns; another, by that care, which the *individual party*, of whom it is required, is *accustomed to take of his own possessions*; and he, very ingeniously, substitutes a new rule in the place of that, which he rejects; namely, that, *when the things in question are the SOLE property of the person, to whom they must be restored*, the holder of them is obliged to keep them with the *first* degree of diligence; whence he decides, that a *borrower* and a *hirer* are responsible for precisely the same neglect; that a *vendor*, who retains for a time the custody of the goods sold, is under the same obligation, in respect of care, with a man, who undertakes to manage the affairs of another, either *without* his request, as a *negotiorum gestor*, or *with* it, as a *mandatary*: “but, says he, *when the things are the JOINT property of the parties contracting*, no higher
 “diligence can be required than the second degree, or that, which the
 “*acting party* commonly uses in *his own* affairs; and it is sufficient,
 “*if he keep them, as he keeps his own.*” This he conceives to be the distinction between the *eight* contracts, which precede, and the *two*, which follow, the words in *his quidem et diligentiam*.

Throughout his work he displays no small sagacity and erudition, but speaks with too much confidence of his own decisions, and with too much asperity or contempt of all other interpreters from BARTOLUS to VINNIUS.

At the time when this author wrote, the learned M. POTHIER was composing some of his admirable *treatises* on all the different species of express, or implied, *contracts*; and here I seize with pleasure an opportunity of recommending those treatises to the *English* lawyer, exhorting him to read them again and again; for, if his great master LITTLETON has given him, as it must be presumed, a taste for luminous method,
 apposite

apposite examples, and a clear manly style, in which nothing is redundant, nothing deficient, he will surely be delighted with works, in which all those advantages are combined, and the greatest portion of which is law at *Westminster* as well as at *Orleans* *: for my own part, I am so charmed with them, that, if my undissembled fondness for the study of jurisprudence were never to produce any greater benefit to the publick, than barely the introduction of POTHIER to the acquaintance of my countrymen, I should think that I had in some measure discharged the debt, which *every man*, according to lord COKE, owes to his profession.

To this venerable professor and judge, for he had sustained both characters with deserved applause, LE BRUN sent a copy of his little work; and M. POTHIER honoured it with a short, but complete, answer in the form of a *General Observation on his Treatises* †; declaring, at the same time, that *he would not enter into a literary contest*, and apologizing for his fixed adherence to the ancient system, which he politely ascribes to *the natural bias of an old man in favour of opinions formerly imbibed*. This is the substance of his answer: “ that he can discover no kind of absurdity in the usual division of *neglect* and *diligence*, nor in the *rule*, by which different *degrees* of them are applied to different contracts; “ that, to speak with strict propriety, negligence is not *permitted* in any “ contract, but a *less rigorous construction* prevails in some than in others; “ that a *hirer*, for instance, is not considered as *negligent*, when he takes “ the same care of the goods hired, which the generality of mankind “ take of their own; that the *letter to hire*, who has his reward, must “ be presumed to have demanded at first no higher degree of diligence,

* *Oeuvres de M. Pothier*, à Paris, chez DEBURE: 28 volumes in *duodecimo*, or 6 in *quarto*. The illustrious author died in 1772.

† It is printed apart, in *fourteen* pages, at the end of his treatise on the *Marriage-contract*.

“ and

“ and cannot justly complain of that *inattention*, which in another case
 “ might have been culpable; for a *lender*, who has *no* reward, may
 “ fairly exact from the borrower that *extraordinary* degree of care,
 “ which a *very attentive person of his age and quality* would certainly
 “ have taken; that the diligence, which *the INDIVIDUAL party com-*
 “ *monly uses in his own affairs*, cannot properly be the object of judicial
 “ inquiry; for *every* trustee, administrator, partner, or co-proprietor,
 “ must be *presumed* by the court, auditors, or commissioners, before
 “ whom an account is taken, or a distribution or partition made, to use
 “ in *their own* concerns such diligence, as is commonly used by *all pru-*
 “ *dent men*; that it is a violation of *good faith* for any man to take less
 “ care of another’s property, which has been intrusted to him, *than of*
 “ *his own*; that, consequently, the author of the new system demands
 “ no more of a *partner* or a *joint-owner* than of a *depository*, who is bound
 “ to keep the goods deposited *as he keeps his own*; which is directly
 “ repugnant to the indisputable and undisputed sense of the law *Con-*
 “ *tractus*.”

I cannot learn whether M. LE BRUN ever published a reply, but
 am inclined to believe that his system has gained very little ground in
France, and that the old interpretation continues universally admitted on
 the continent both by theorists and practisers.

Nothing material can be added to POTHIER’S argument, which, in
 my humble opinion, is unanswerable; but it may not be wholly use-
 less to set down a few general remarks on the controversy: particular
 observations might be multiplied without end.

The only *essential* difference between the systems of GODEFROI and
 LE BRUN relates to the *two* contracts, which follow the much-disputed
 clause; for the *Swiss* lawyer makes the partner and co-proprietor answer-

able for *ordinary* neglect, and the *French* advocate demands no more from them than *common honesty*: now, in this respect, the error of the *second* system has been proved to demonstration; and the author of it himself confesses ingenuously, that the other part of it fails in the article of *Marriage-portions* *.

In regard to the division of neglect and care into *three* degrees or *two*, the dispute appears to be merely verbal; yet, even on this head, LE BRUN seems to be self-confuted: he begins with engaging to prove "that only *two* degrees of fault are distinguished by the laws of *Rome*," and ends with drawing a conclusion, that they acknowledge but *one* degree: now, though this might be only a slip, yet the whole tenor of his book establishes *two* modes of *diligence*, the *omissions* of which are *as many* neglects; exclusively of *gross* neglect, which he likewise admits, for the *culpa levissima* only is that, which he repudiates. It is true, that he gives no epithet or name to the omission of his *second* mode of care; and, had he searched for an epithet, he could have found no other than *gross*; which would have demonstrated the weakness of his whole system †.

The disquisition amounts, in fact, to this: from the barrenness or *poverty*, as LUCRETIVS calls it, of the *Latin* language, the single word CULPA includes, as a generick term, various degrees or shades of *fault*, which are sometimes distinguished by epithets, and sometimes left without any distinction; but the *Greek*, which is rich and flexible, has a term expressive of almost every shade, and the translators of the law *Contractu* actually use the words ἐσθυμία and ἀμέλεια, which are by no means synonymous, the former implying a certain *easiness of mind* or *remissness of attention*, while the second imports a higher and more culpable degree

* See p. 71. note; and p. 126.

† See pages 32. 73. 74. 149.

of *negligence* *. This observation, indeed, seems to favour the system of GODEFROI; but I lay no great stress on the mere words of the translation, as I cannot persuade myself, that the *Greek* jurists under BASILIUS and LEO were perfectly acquainted with the niceties and genuine purity of their language; and there are invincible reasons, as, I hope, it has been proved, for rejecting all systems but that, which POTHIER has recommended and illustrated.

I come now to the laws of our own country, in which the same distinctions and the same rules, notwithstanding a few clashing authorities, will be found to prevail; and here I might proceed chronologically from the oldest *Year-book* or *Treatise* to the latest adjudged *Case*; but, as there would be a most unpleasing dryness in that method, I think it better to examine separately every distinct *species* of bailment, observing at the same time, under each head, a kind of historical order. It must have occurred to the reader, that I might easily have taken a wider field, and have extended my inquiry to every possible case, in which a man *possesses for a time the goods of another*; but I chose to confine myself within certain limits, lest, by grasping at too vast a subject, I should at last be compelled, as it frequently happens, by accident or want of leisure, to leave the whole work unfinished: it will be sufficient to remark, that the rules are in general the same, by whatever means the goods *are legally* in the hands of the possessor, whether by delivery from the owner, which is a proper *bailment*, or from any other person, by finding †, or in consequence of some distinct contract.

* *Basilica*, 2, 3. 23. See *Domosth.* 3 Phil. *Reiske's* edit. I. 112. 3. For *levissima culpa*, which occurs but once in the whole body of *Roman law*, ἐλαφύμια seems the proper word in *Greek*; and it is actually so used in the *Basilica*, 60. 3. 5. where mention is made of the *Aquilian law*, in *quâ*, says ULPIAN, *et levissima culpa venit*. D. 9. 2. 44.

† Doct. and Stud. dial. 2. ch. 38. Lord Raym. 909. 917. See Ow. 141. 1 Leon. 224. 1 Cro. 219. *Mulgrave* and *Ogden*.

Sir

Sir JOHN HOLT, whom every *Englishman* should mention with respect, and from whom no *English* lawyer should venture to dissent without extreme diffidence, has taken a comprehensive view of this whole subject in his judgment on a celebrated case, which shall soon be cited at length; but, highly as I venerate his deep learning and singular sagacity, I shall find myself constrained, in some few instances, to differ from him, and shall be presumptuous enough to offer a correction or two in part of the doctrine, which he propounds in the course of his argument*.

His division of bailments into *six* sorts appears, in the first place, a little inaccurate; for, in truth, his *fifth* sort is no more than a branch of his *third*, and he might, with equal reason, have added a *seventh*, since the fifth is capable of another subdivision. I acknowledge, therefore, but *five* species of bailment; which I shall now enumerate and define, with all the *Latin* names, one or two of which lord HOLT has omitted.

1. DEPOSITUM, which is a naked bailment, without reward, of goods to be *kept* for the bailor. 2. MANDATUM, or *commission*; when the mandatary undertakes, without recompence, to *do some act* about the things bailed, or simply to *carry* them; and hence Sir HENRY FINCH divides bailment into *two* sorts, to *keep*, and to *employ*†. 3. COMMODATUM, or *loan for use*; when goods are bailed, without pay, to be *used* for a certain time by the bailee. 4. PIGNORI ACCEPTUM; when a thing is bailed by a debtor to his creditor in *pledge*, or as a security for the debt. 5. LOCATUM, or *hiring*, which is always for a *reward*; and this bailment is either, 1. *locatio rei*, by which the hirer gains the temporary use of *the thing*; or, 2. *locatio operis faciendi*, when *work* and *labour*, or *care* and *pains*, are to be performed or bestowed on the thing delivered; or, 3. *locatio operis mercium vehendarum*, when goods are

* Lord Raym. 912.

† Law, b. 2. ch. 18.

bailed for the purpose of being *carried* from place to place, either to a *publick* carrier, or to a *private* person.

I. The most ancient case, that I can find in our books, on the doctrine of DEPOSITS (there were others, indeed, a few years earlier, which turned on points of pleading), was adjudged in the eighth of Edward II. and is abridged by FITZHERBERT*. It may be called BONION's case, from the name of the plaintiff, and was, in substance, this: An action of detinue was brought for *seals, plate, and jewels*, and the defendant pleaded, "that the plaintiff had bailed to him a chest *to be kept*, which " chest was *locked*; that the bailor himself took away the key, *without* " *informing the bailee of the contents*; that robbers came in the NIGHT, " *broke open the defendant's chamber*, and carried off the chest into the " fields, where they forced the lock, and took out the *contents*; that " the defendant was robbed at the same time of his own goods." The plaintiff replied, "that the jewels were delivered, in a chest *not locked*, " to be restored at the pleasure of the bailor," and *on this*, it is said, *issue was joined*.

Upon this case lord HOLT observes, "that he cannot see, why the " bailee should not be charged with goods *in* a chest as well as with " goods *out of* a chest; for," says he, "the bailee has as little power " over them, as to any benefit that he might have from them, and as " great power to defend them in one case as in the other †." The very learned judge was dissatisfied, we see, with Sir EDWARD COKE's reason, "that, when the jewels were locked up in a chest, the bailee " was not, in fact, trusted with them ‡." Now there was a diversity of opinion, upon this very point, among the greatest lawyers of *Rome*; for "it was a question, whether, if a box sealed up had been deposited,

* Mayn. Edw. II. 275. Fitz. Abr. tit. Detinue, 59.

† Lord Raym. 914.

‡ 4 Rep. 84.

" the

“ the box only should be demanded in the action, or the clothes, which
 “ it contained, should also be specified; and TREBATIUS insists, that
 “ the box only, not the particular contents of it, must be sued for; un-
 “ less the things were previously shewn, and then deposited: but LABEO
 “ asserts, that he, who deposits the box, deposits the contents of it;
 “ and ought, therefore, to demand the clothes themselves. What then,
 “ if the depositary *was ignorant of the contents?* It seems to make no
 “ great difference, since he took the charge upon himself; and I am of
 “ opinion, says ULPIAN, that, although the box was sealed up, yet an
 “ action may be brought for what it contained*.” This relates chiefly
 to the form of the libel; but, surely, cases may be put, in which the
 difference may be very material as to the *defence*. Diamonds, gold, and
 precious trinkets, ought, *from their nature*, to be kept with peculiar care
 under lock and key: it would, therefore, be *gross* negligence in a de-
 positary to leave such a deposit in an open antichamber, and *ordinary*
 neglect, at least, to let them remain on his table, where they might
 possibly tempt his servants; but no man can proportion his care to the
nature of things, without knowing them: perhaps, therefore, it would
 be no more than *slight* neglect, to leave out of a drawer a box or casket,
 which was neither known, nor could justly be suspected, to contain
 diamonds; and DOMAT, who prefers the opinion of TREBATIUS, de-
 cides, “ that, in such a case, the depositary would only be obliged to
 “ restore the casket, as it was delivered, without being responsible for
 “ the contents of it.” I confess, however, that, anxiously as I wish on
 all occasions to see authorities respected, and judgment holden sacred,
 BONION’s case appears to me wholly incomprehensible; for the de-
 fendant, instead of having been *grossly* negligent (which alone could
 have exposed him to an action), seems to have used at least *ordinary*
 diligence; and, after all, the loss was occasioned by a *burglary*, for

* D. 16. 3. 1. 41.

which

which no bailee can be responsible without a very special undertaking. The plea, therefore, in this case was good, and the replication, idle; nor could I ever help suspecting a mistake in the last words *alii quòd non*; although RICHARD DE WINCHEDON, or whoever was the compiler of the *table* to this Year-book, makes a distinction, that, “if jewels be bailed to me, and *I put them* into a casket, and *thieves rob me of them in the night-time*, I am answerable; not, if they be *delivered* to me in a chest *sealed up* ;” which could never have been law; for the next oldest case, in the book of *Affise*, contains the opinion of chief justice THORPE, that “a general bailee *to keep* is not responsible, *if the goods be stolen*, without his *gross* neglect* ;” and it appears, indeed, from FITZHERBERT, that the party was driven to this issue, “whether the goods were taken away by *robbers*.”

By the *Mosaick* institutions, “if a man delivered to his neighbour MONEY OR STUFF *to keep*, and it was *stolen* out of his house, and the thief could not be found, the master of the house was to be brought before the judge, and to be discharged, if he could swear, that he had not *put his hand* unto his neighbour’s goods† ,” or, as the *Roman* author of the LEX DEI translates it, *Nibil se nequiter gessisse*‡ ; but a distinction seems to have been made between a stealing by *day* and a stealing by *night*§ ; and “if CATTLE were bailed and stolen (by *day*, I presume), the person, who had the care of them, was bound to make restitution to the owner|| ;” for which the reason seems to be, that, when *cattle* are delivered *to be kept*, the bailee is rather a *mandatory* than a depositary, and is, consequently, obliged to use a degree of diligence *adequate to the charge*: now sheep can hardly be stolen in the *day-time* without some neglect of the shepherd; and we find that, when

* 29 Aff. 28. Bro. Abr. *tit.* Bailment, pl. 7.

† Exod. xxii. 7, 8.

‡ Lib. 10. De Deposito. This book is printed in the same volume with the *Theodosian Code*, Paris, 1586.

§ Gen. xxxi. 39.

|| Exod. xxii. 12.

JACOB, who was, for a long time at least, a bailee of a different sort, *as he had a reward*, lost any of the beasts intrusted to his care, LABAN made him answer for them “whether stolen by day or stolen by “night*.”

Notwithstanding the high antiquity, as well as the manifest good sense, of the rule, a contrary doctrine was advanced by Sir EDWARD COKE, in his *Reports*, and afterwards deliberately inserted in his *Commentary on LITTLETON*, the great result of all his experience and learning; namely, “that a depositary is responsible, if the goods be stolen from “him, unless he accept them specially *to keep as his own*,” whence he advises all depositaries to make such a special acceptance†. This opinion, so repugnant to natural reason and the laws of all other nations, he grounded partly on some broken cases in the Year-books, mere conversations on the bench, or loose arguments at the bar; and partly on SOUTHCOTE’s case, which he has reported, and which by no means warrants his deduction from it. As I humbly conceive that case to be law, though the doctrine of the learned reporter cannot in all points be maintained, I shall offer a few remarks on the pleadings in the cause, and the judgement given on them.

SOUTHCOTE declared in detinue, that he had delivered goods to BENNET, *to be by him SAFELY kept*: the defendant confessed such delivery, but pleaded in bar, that a certain person STOLE them out of his possession; the plaintiff replied, protesting that he had not been robbed, that the person named in the plea was a SERVANT of the defendant, and demanded judgement; which, on a general demurrer to the replication, he obtained. “The reason of the judgement, says lord COKE, “was, because the plaintiff had delivered the goods to be SAFELY “kept, and the defendant had taken the charge of them upon himself,

* Gen. xxxi. 39.

† 4 Rep. 83. b. 1 Inst. 89. a. b.

“ by

“by accepting them on such a delivery.” Had the reporter stopped here, I do not see what possible objection could have been made; but his exuberant erudition boiled over, and produced the frothy conceit, which has occasioned so many reflections on the case itself; namely, “that *to KEEP* and *to keep SAFELY* are one and the same thing;” a notion, which was denied to be law by the whole court in the time of chief justice HOLT*.

It is far from my intent to speak in derogation of the great commentator on LITTLETON; since it may truly be asserted of him, as QUINTILIAN said of CICERO, that *an admiration of his works is a sure mark of some proficiency in the study of the law*; but it must be allowed, that his profuse learning often ran wild, and that he has injured many a good case by the vanity of thinking to improve them.

The pleader, who drew the replication in SOUTHCOTE’S case, must have entertained an idea, that the *blame* was *greater*, if a *servant* of the depositary stole the goods, than if a mere *stranger* had purloined them; since the defendant ought to have been more on his guard against a person, who had so many opportunities of stealing; and it was his own fault, if he gave those opportunities to a man, of whose honesty he was not morally certain: the court, we find, rejected this distinction, and also held the replication informal, but agreed, that no advantage could be taken on a *general* demurrer of such informality, and gave judgement on the substantial badness of the plea†. If the plaintiff, instead of replying, had demurred to the plea in bar, he might have insisted in argument, with reason and law on his side, “that, although a *general* bailee “*to keep* be responsible for GROSS neglect *only*, yet BENNET had, by a “*special* acceptance, made himself answerable for ORDINARY neglect at

* Ld. Raym. 911. margin.

† 1 Cro. 815.

“ *least*; that it was *ordinary* neglect, to let the goods be *stolen* out of his
 “ possession, and he had not averred, that they were stolen *without his*
 “ *default*; that he ought to have put them into a *safe* place, according
 “ to his undertaking, and have kept the key of it himself; that the
 “ *special* bailee was reduced to the class of a *conductor operis*, or a work-
 “ man *for hire*; and that a tailor, to whom his employer has delivered
 “ lace for a suit of clothes, is bound, if the lace be *stolen*, to restore the
 “ value of it*.” This reasoning would not have been just, if the
 bailee had pleaded, as in BONION’S case, that he had been *robbed by vio-*
lence, for no degree of *care* can in general prevent an open robbery:
impetūs prædonum, says ULPIAN, *à nullo præstantur*.

Mr. Justice POWELL, speaking of SOUTHCOTE’S case, which he denies to be law, admits, that, “ if a man *does* undertake *special*ly to keep
 “ goods SAFELY, that is a warranty, and will oblige the bailee to
 “ keep them safely against perils, where *he has a remedy over*, but *not*
 “ against those where he has *no* remedy over†.” One is unwilling to
 suppose, that this learned judge had not read lord COKE’S report with
 attention; yet the case, which he puts, is precisely that which he
 opposes, for BENNET *did* undertake “ to keep the goods SAFELY;” and,
 with submission, *the degree of care demanded*, not *the remedy over*, is the
 true measure of the obligation; for the bailee might have his *appeal of*
robbery, yet he is not bound to keep the goods against *robbers* without a
 most express agreement‡. This, I apprehend, is all that was meant
 by St. GERMAN, when he says, “ that, if a man *have nothing* for keep-

* “ *Alia est furti ratio; id enim non casui, sed levi culpæ, ferè ascribitur.*” Gothofr. Comm. in L. *Contrarius*, p. 145. See D. 17. 2. 52. 3. where says the annotator, “ *Adversus latrones parùm prodest custodia; adversus furem prodesse potest, si quis advigilet.*” See also POTH. *Contrat de Louage*, n. 429. and *Contrat de Pret à usage*, n. 53. So, by justice COTTESMORE, “ *Si jeo grante byens a un home a garder a mon oepe, si les byens per son mesgarde sont embles, il fera charge a moy de mesmes les byens, mez s’il soit robbe de mesmes les byens, il est excusable per le ley.*” 10 Hen. VI. 21.

† Ld. Raym. 912.

‡ 2 Sho. pl. 166.

“ing the goods bailed, and promise, at the time of the delivery, to restore them *safe at his peril*, he is not responsible for *mere casualties* *;” but the rule extracted from this passage, “that a *special* acceptance to keep SAFELY will not charge the bailee against the acts of *wrongdoers* †,” to which purport HOBART also and CROKE are cited, is too general, and must be confined to acts of *violence*.

I cannot leave this point, without remarking, that a *tenant at will*, whose interest, when he has it rentfree, the *Romans* called *PRECARIUM*, stands in a situation exactly parallel to that of a depositary; for, although the contract be for *his benefit*, and, in some instances, for his benefit *only*, yet he has an *interest* in the land till the will is determined, “and, our law adds, it is the folly of the lessor, if he do not restrain him by a special condition:” thence it was adjudged, in the *Countess of Shrewsbury’s* case, “that an action will not lie against a tenant at will *generally*, “if the house be burned through his neglect †;” but, says justice POWELL, “had the action been founded on a *special* undertaking, as that, in consideration that the lessor would let him live in the house, “he would deliver it up *in as good repair as it then was in*, such an action would have been maintainable §.”

It being then established, that a bailee of the *first* sort is answerable only for a *fraud*, or for *gross* neglect, which is considered as evidence of it, and not for such *ordinary* inattentions as may be compatible with *good faith*, if the depositary be himself a *careless and inattentive* man; a question may arise, whether, if proof be given, that he is, in truth, very *thoughtful and vigilant in his own concerns*, he is not bound to restitution, if the deposit be lost through his neglect, either *ordinary* or *slight*; and it seems easy to support the affirmative; since in this case the measure of

* Doct. and Stud. dial. 2. chap. 38.

† Com. 135. Ld. Raym. 915.

‡ 5 Rep. 13. b.

§ Ld. Raym. 911.

diligence

diligence is *that, which the bailee uses in his own affairs*. It must however be confessed, that the character of the individual depositary can hardly be an object of judicial discussion: if he be *slightly* or even *ordinarily* negligent in keeping the goods deposited, the favourable presumption is, that he is equally neglectful of his own property; but this presumption, like all others, may be repelled; and, if it be proved, for instance, that, his house being on fire, he saved his own goods, and, having time and power to save also those deposited, suffered them to be burned, he shall restore the worth of them to the owner*. If, indeed, he have time to save only one of two chests, and one be a deposit, the other his own property, he may justly prefer his own; unless that contain things of small comparative value, and the other be full of much more precious goods, as fine linen or silks; in which case he ought to save the more valuable chest, and has a right to claim indemnification from the depositor for the loss of his own. Still farther; if he commit even a *gross* neglect in regard to his own goods *as well as* those bailed, by which *both* are lost or damaged, *he cannot be said to have violated good faith*, and the bailor must impute to his own folly the confidence which he reposed in so improvident and thoughtless a person†.

To this principle, that a depositary is answerable *only* for *gross* negligence, there are some exceptions.

First, as in SOUTHCOTE's case, where the bailee, by a *special* agreement, has engaged to answer for less: "Si quid nominatim convenit," says the *Roman* lawyer, "vel plus vel minus in singulis contractibus, hoc servabitur quod initio convenit; legem enim contractui dedit‡;" but the opinion of CELSUS, that an agreement *to dispense with deceit* is void,

* POTH. *Contrat de Dépôt*, n. 29. Stiernh. *de Jure Sueon.* l. 2. c. 5.

† Bract. 99. b. Justin. *Inst.* l. 3. tit. 15.

‡ L. *Contractus*, 23. D. *de reg. jur.*

as being contrary to good morals and decency, has the assent both of ULPIAN and our *English* courts*.

Secondly; when a man spontaneously and officiously proposes to keep the goods of another, *he may prevent the owner from intrusting them with a person of more approved vigilance; for which reason he takes upon himself, according to JULIAN, the risk of the deposit, and becomes responsible at least for ordinary neglect, but not for mere casualties†.*

Where things are deposited through necessity on any sudden emergence, as a fire or a shipwreck, M. LE BRUN insists, “ that the depositary must answer for *less than gross* neglect, how careless soever he may be in his own affairs; since the preceding remark, that *a man, who reposes confidence in an improvident person, must impute any loss to his own folly*, is inapplicable to a case, where the deposit was not optional; and *the law ceases with the reason of it‡*,” but that is not the *only* reason; and, though it is an additional misfortune, for a man in extreme haste and deep distress to light upon a stupid or inattentive depositary, yet I can hardly persuade myself, that more than perfect *good faith* is demanded in this case, although a violation of that faith be certainly more criminal than in other cases, and was therefore punished at *Rome* by a forfeiture of the double value of the goods deposited.

In these circumstances, however, a benevolent *offer* of keeping another's property for a time would not, I think, bring the case within JULIAN's rule before-mentioned, so as to make the person offering answerable for *slight*, or even *ordinary*, negligence; and my opinion is confirmed by the authority of LABEO, who requires no more than *good*

* Doct. and Stud. dial. 2. chap. 38.

† D. 16. 3. 1. 35.

‡ De la Prestation des Fautes, p. 77.

faith of a *negotiorum gestor*, when “*affectione coactus, ne bona mea dif-
trahantur, negotiis se meis obtulerit.*”

Thirdly; when the bailee, improperly called a *depositary*, either *directly* demands and receives a reward *for his care*, or takes the charge of goods *in consequence of some lucrative contract*, he becomes answerable for *ordinary* neglect; since, in truth, he is in both cases a *conductor operis*, and *lets out* his mental labour at a just price: thus, when clothes are left with a man, who is paid for the use of his bath, or a trunk with an innkeeper or his servants, or with a ferryman, the bailees are as much bound to indemnify the owners, if the goods be lost or damaged through their want of *ordinary* circumspection, as if they were to receive a stipulated recompense *for their attention and pains*; but of this more fully, when we come to the article of *hiring*.

Fourthly; when the *bailee alone* receives advantage from the deposit, as, if a thing be borrowed on a future event, and deposited with the intended borrower, until the event happens, because the owner, perhaps, is likely to be absent at the time, such a depositary must answer even for *slight* negligence; and this bailment, indeed, is rather a *loan* than a deposit, in whatever light it may be considered by the parties. Suppose, for example, that *Charles*, intending to appear at a masked ball expected to be given on a future night, requests *George* to lend him a dress and jewels for that purpose, and that *George*, being obliged to go immediately into the country, desires *Charles* to keep the dress till his return, and, if the ball be given in the mean time, to wear it; this seems to be a regular *loan*, although the original purpose of borrowing be future and contingent.

Since, therefore, the two last cases are not, in strict propriety, *deposits*, the exceptions to the general rule are reduced to two only; and the second

cond of them, I conceive, will not be rejected by the *English* lawyer, although I recollect no decision or dictum exactly conformable to the opinion of JULIAN.

Clearly as the obligation to *restore* a deposit flows from the nature and definition of this contract, yet, in the reign of ELIZABETH, when it had been adjudged, consistently with common sense and common honesty, "that an action on the case lay against a man, who had not performed his promise of redelivering, or delivering over, things bailed to him," that judgement was *reversed*; and, in the sixth year of JAMES, judgement for the plaintiff was arrested in a case exactly similar*: it is no wonder, that the profession *grumbled*, as lord HOLT says, at so absurd a reversal; which was itself most justly reversed a few years after, and the first decision solemnly established†.

Among the curious remains of *Attick* law, which philologists have collected, very little relates to the contracts, which are the subject of this essay; but I remember to have read of DEMOSTHENES, that he was advocate for a person, with whom *three* men had deposited some valuable utensil, of which they were joint-owners; and the depositary had delivered it to *one* of them, of whose knavery he had no suspicion; upon which the other *two* brought an action, but were nonsuited on their own evidence, that there was a *third* bailor, whom they had not joined in the suit; for, the truth not being proved, DEMOSTHENES insisted, *that his client could not legally restore the deposit, unless all three proprietors were ready to receive it*; and this doctrine was good at *Rome* as well as at *Athens*, when the thing deposited was in its nature incapable of partition: it is also law, I apprehend, in Westminster-hall‡.

* Yelv. 4. 50. 128.

† 2 Cro. 667. *Wheatly* and *Low*.

‡ D. 16. 3. 1. 36. Bro. Abr. *tit.* Bailment, pl. 4.

The obligation to return a deposit faithfully was, in very early times, holden sacred by the *Greeks*, as we learn from the story of GLAUCUS, who, on consulting the oracle, received this answer, "that it was criminal even to *harbour a thought* of with-holding deposited goods from the owners, who claimed them *;" and a fine application of this *universal* law is made by an *Arabian* poet contemporary with JUSTINIAN, who remarks, "that life and wealth are only *deposited* with us by our creator, and, like all other deposits, must in due time be restored."

II. Employment by COMMISSION was also known to our ancient lawyers; and BRACTON, the best writer of them all, expresses it by the *Roman* word, *Mandatum*; now, as the very essence of this contract is the *gratuitous* performance of it by the bailee, and as the term *commission* is also pretty generally applied to bailees, who receive *hire* or *compensation* for their attention and trouble, I shall not scruple to adopt the word MANDATE as appropriated in a *limited sense* to the species of bailment now before us; nor will any confusion arise from the common acceptation of the word in the sense of a judicial command or precept, which is in truth only a *secondary* and inaccurate usage of it. The great distinction then between one sort of *mandate* and a *deposit* is, that the former *lies in fessance*, and the latter, simply *in custody*: whence, as we have already intimated, a difference often arises between the degrees of care demanded in the one contract and in the other; for, the mandatary being considered as having engaged himself, to use *a degree of diligence and attention adequate to the performance of his undertaking*, the omission of such diligence may be, according to the nature of the business, either *ordinary*, or *slight*, neglect; although a bailee of this species ought regularly to be answerable only for a violation of *good faith*. This is the common doctrine taken from the law of ULPIAN; but there seems, in reality, to be no exception in the present case from the general rule; for,

* Herod. VI. 86. Juv. Sat. XIII. 199.

since

since *good faith* itself obliges every man *to perform his actual engagements*, it of course obliges the mandatary to exert himself in proportion to the exigence of the affair in hand, and neither to *do* any thing, how minute soever, by which his employer may sustain damage, nor *omit* any thing, however inconsiderable, which the nature of the act requires *: nor will a want of ability to perform the contract be any defence for the contracting party; for, though the law *exacts no impossible things*, yet it may justly require, that every man shall know his own strength, before he undertakes to do an act, and that, if he delude another by false pretensions to skill, he shall be responsible for any injury, that may be occasioned by such delusion. If, indeed, an unskilful man yield to the pressing instances of his friend, who could not otherwise have his work performed, and engage reluctantly in the business, no higher degree of diligence can be demanded of him than a fair exertion of his capacity.

It is almost needless to add, that a mandatary, as well as a depositary, may bind himself by a *special* agreement to be answerable even for casualties; but that neither the one nor the other can exempt himself by any stipulation from responsibility for *fraud*, or, its equivalent, *gross* neglect.

A distinction seems very early to have been made in our law between the *nonfance*, and the *misfance*, of a *conductor operis*, and, by equal reason, of a mandatary; or, in other words, between a total failure of performing an executory undertaking and a culpable neglect in executing it; for, when an action on the case was brought against a carpenter, who, having undertaken to build a new house for the plaintiff within a certain time, *had not built it*, the court gave judgment of nonsuit; but agreed, that, if the defendant had built the house negligently and spoiled the timber, an action against him would have been maintainable †. However, in a subsequent reign, when a similar action was commenced

* Lord Raym. 910.

† Yearb. 11 Hen. IV. 33.

against one WATKINS for *not building* a mill according to his undertaking, there was a long conversation between the judges and the bar, which chief justice BABINGTON at length interrupted by ordering the defendant's counsel either to plead or to demur; but serjeant ROLF chose to plead specially, and issue was taken on a *discharge* of the agreement*. Justice MARTIN objected to the action, because no tort was alledged; and he persisted warmly in his opinion, which seems not wholly irreconcilable to that of his two brethren; for in the cases, which they put, a special injury *was* supposed to be occasioned by the non-performance of the contract.

Authority and reason both convince me, that MARTIN, into whose opinion the reporter recommends an inquiry, was wrong in his objection, if he meant, as justice COKAIN and the chief justice seem to have understood him, that no such action would lie for *nonfessance*, even *though special damage had been stated*. His argument was, that the action before them *founded in covenant* merely, and required a specialty to support it; but that, if the covenant had been changed into a *tort*, a good writ of trespass on the case might have been maintained: he gave, indeed, an example of *misfessance*, but did not controvert the instances, which were given by the other judges.

It was not alledged in either of the cases just cited, that the defendant was to receive *pay* for the fessance of his work; but, since both defendants were described as *actually in trade*, it was not perhaps intended, that they were to work *for nothing*: I cannot however persuade myself, that there would have been any difference, had the promises been purely *gratuitous*, and had a special injury been caused by the breach of them. Suppose, for instance, that *Robert's* corn-fields are surrounded by a ditch or trench, in which the water from a certain spring used

* Yearb. 3 Hen. VI. 36. b. 37. a. Statb. Abr. tit. *Actions sur le cas*, pl. 20.

to have a free course, but which has of late been obstructed by foil and rubbish; and that, *Robert* informing his neighbour *Henry* of his intention speedily to clear the ditch, *Henry* offers and undertakes immediately to remove the obstruction and repair the banks *without reward*, he having business of the same kind to perform on his own grounds: if, in this case, *Henry* neglect to do the work undertaken, “and the water, not having its natural course, overflow the fields of “*Robert* and spoil his corn,” may not *Robert* maintain his action on the case? Most assuredly; and so in a thousand instances of proper bailments, that might be supposed; where a just reliance on the promise of the defendant prevented the plaintiff from employing another person, and was consequently the cause of the loss, which he sustained*; for it is, as it ought to be, a general rule, that, for every *damnum injuriâ datum*, an action of some sort, which it is the province of the pleader to advise, may be maintained; and, although the *gratuitous* performance of an act be a *benefit* conferred, yet, according to the just maxim of *PAULUS*, *Adjuvari nos, non decipi, beneficio oportet*†: but the *special* damage, not the assumption, is the cause of *this* action; and, if *notice* be given by the mandatary, *before any damage incurred, and while another person may be employed*, that he cannot perform the work, no process of law can enforce the performance of it.

A case in *BROOK*, made complete from the Year-book, to which he refers, *seems* directly in point; for, by chief justice *FINEUX*, *it had been adjudged*, that, “if a man assume to build a house for me by a certain “day, and do not build it, *and I suffer damage by his nonfessance*, I shall “have an action on the case, as well as if he had *done it amiss*.” but it is *possible*, that *FINEUX* might suppose a consideration, though none be mentioned‡.

* Yearb. 19. Hen. VI. 49.

† D. 13. 6. 17. 3.

‡ Bro. Abr. tit. Action sur le Case, 72.

Actions on this contract are, indeed, very uncommon, for a reason not extremely flattering to human nature; because it is very uncommon to undertake any office of trouble *without compensation*; but, whether the case really happened, or the reward, which has actually been stipulated, was omitted in the declaration, the question, "whether a man" "was responsible for damage to certain goods occasioned by his negligence in performing a GRATUITOUS promise," came before the court, in which lord HOLT presided, so lately as the second year of queen ANNE; and a point, which the first elements of the *Roman* law have so fully decided, that no court of judicature on the continent would suffer it to be debated, was thought in ENGLAND to *deserve*, what it certainly received, *very great consideration* *.

The case was this: BERNARD had assumed *without pay* safely to remove several casks of brandy from one cellar, and lay them down *safely* in another, but managed them so negligently, that one of the casks was staved. After the general issue joined, and a verdict for the plaintiff COGGS, a motion was made in arrest of judgement on the irrelevancy of the declaration, in which it was neither alledged, that the defendant was to have *any recompense for his pains*, nor that he was a *common porter*: but the court were unanimously of opinion, that the action lay; and, as it was thought a matter of great consequence, each of the judges delivered his opinion separately.

The chief justice, as it has before been intimated †, pronounced a clear, methodical, elaborate argument; in which he distinguished bailments into *six* forts, and gave a history of the principal authorities concerning each of them. This argument is justly represented by my learned friend, the annotator *on the First Institute*, as "a most masterly

* *Ld. Raym.* 909—920. 1 *Salk.* 26. *Com.* 133. *Farr.* 13. 131. 528.

† *P.* 620.

" view

“ view of the whole subject of bailment *;” and, if my little work be considered merely as a commentary on it, the student may perhaps think, that my time and attention have not been unusefully bestowed.

For the decision of the principal case, it would have been sufficient, I imagine, to insist, that the point was *not new*, but had already been determined; that the writ in the REGISTER, called, in the strange dialect of our forefathers, *De pipá vini caríandá* †, was not similar, but identical; for, had the reward been the *essence* of the action, it must have been inserted in the writ, and nothing would have been left for the declaration but the stating of the day, the year, and other circumstances; of which RASTELL exhibits a complete example in a writ and declaration for *negligently and improvidently planting a quickset hedge*, which the defendant had promised to raise, *without any consideration alledged*; and issue was joined on a traverse of the negligence and improvidence ‡. How any answer could have been given to these authorities, I am at a loss even to conceive: but, although it is needless to prove the same thing twice, yet other authorities, equally unanswerable, were adduced by the court, and supported with reasons no less cogent; for *nothing*, said Mr. Justice POWELL emphatically, *is law, that is not reason*; a maxim, in theory excellent, but in practice dangerous, as many rules, true in the abstract, are false in the concrete; for, since the reason of TITIVS may, and frequently does, differ from the reason of SEPTIMIUS, no man, who is not a lawyer, would ever know how to act, and no man, who is a lawyer, would in many instances know what to advise, unless courts were bound by *authority*, as firmly as the pagan deities were supposed to be bound by the decrees of fate.

* Hargr. Co. Litt. 89. b. n. 3. The profession must lament the necessary suspension of this valuable work.

† Reg. Orig. 110. a. see also 110. b. *De equo infirmo sanando*, and *De columbari reparando*.

‡ Raft. Entr. 13. b.

Now

Now the *reason* assigned by the learned judge for the cases in the *Register* and *Year-books*, which were the same with COGGS and BERNARD, namely, "that the party's SPECIAL *assumpsit* and undertaking "obliged him *so* to do the thing, that the bailor came to no damage by "his neglect," seems to intimate, that the omission of the words *salvo et secure* would have made a difference in this case, as in that of a *deposit*; but I humbly contend, that those words are implied, by the nature of a contract which lies *in fessance*, agreeably to the distinction with which I began this article. As judgement, indeed, was to be given on the record merely, it was unnecessary, and might have been improper, to have extended the proposition beyond the point then before the court; but I cannot think, that the narrowness of the proposition in this instance affects the general doctrine, which I have presumed to lay down; and, in the strong case of the shepherd, *who had a flock to keep*, which he *suffered through negligence to be drowned*, neither a reward nor a special undertaking are stated*: that case, in the opinion of justice TOWNSEND, depended upon the distinction between a bargain *executed* and *executory*; but I cannot doubt the relevancy of an action in the second case, as well as the first, *whenever actual damage is occasioned by the nonfessance*†.

There seems little necessity after this, to mention the case of POWTUARY and WALTON, the *reason* of which applies directly to the present subject; and, though it may be objected that the defendant was stated as a *farrier*, and must be *presumed* to have acted *in his trade*, yet chief justice ROLLE intimates no such presumption; but says expressly, that "an action on the case lies upon this matter, *without alledging any consideration*: for the *negligence* is the cause of action, and not the "assumpsit‡."

* Yearb. 2 Hen. VII. 11.

† *Statb. Abr. tit. Actions sur le cas*, pl. 11. By justice *Passon*, "si un ferroux face covenant ove moy de ferrer mon chival, jeo die qe sil ne ferra mon chival, uncore jeo averai accion sur mon cas, qar en son default peraventure mon chival est perie."

‡ 1 Ro. Abr. 10.

A bailment without reward to *carry* from place to place is very different from a mandate to *perform a work*; and, there being nothing to take it out of the general rule, I cannot conceive that the bailee is responsible for *less* than *gross* neglect, unless there be a *special* acceptance: for instance, if *Stephen* desire *Philip* to carry a diamond-ring from *Bristol* to a person in *London*, and he put it *with bank-notes of his own* into a letter-case, out of which it is *stolen* at an inn, or seized by a robber on the road, *Philip* shall not be answerable for it; although a *very careful*, or perhaps a *commonly prudent*, man would have kept it in his purse at the inn, and have concealed it somewhere in the carriage; but, if he were to secrete *his own notes* with peculiar vigilance, and either leave the diamond in an open room, or wear it on his finger in the chaise, I think he would be bound, in case of a loss by stealth or robbery, to restore the value of it to *Stephen*: every thing, therefore, that has been expounded in the preceding article concerning *deposits*, may be applied exactly to *this sort* of bailment, which may be considered as a subdivision of the second species.

Since we have nothing in these cases analogous to the judgements of *infamy*, which were often pronounced at *Rome* and *Athens*, it is hardly necessary to add, what appears from the speech of *CICERO* for *S. Roscius* of *Ameria*, that “the ancient *Romans* considered a mandatary as “*infamous*, if he broke his engagement, not only by actual *fraud*, but “even by *more than ordinary negligence* *.”

As to *exceptions* from the rule concerning the degree of neglect, for which a mandatary is responsible, almost all, that has been advanced before in the article of *deposits*, in regard to a special convention, a

* “In privatis rebus, si quis rem *mandatam* non modo *malitiosius* gessisset, sui quæstus aut commodi “causâ, verum etiam *negligentius*, eum majores summum admisisse dedecus existimabant: itaque *mandati* constitutum est judicium, non minus turpe quàm *furti*.” Pro *S. Rosc.* p. 116. *Glasg.*

voluntary

voluntary offer, and an interest accruing to both parties, or only to the bailee, may be applied to mandates: an undertaker of a work for the benefit of an absent person, and *without his knowledge*, is the *negotiorum gestor* of the civilians, and the obligation resulting from his implied contract has been incidentally mentioned in a preceding page.

III. On the third species of bailment, which is one of the most usual and most convenient in civil society, little remains to be observed; because our own, and the Roman, law are on this head perfectly coincident. I call it, after the *French* lawyers, *loan for use*, to distinguish it from their *loan for consumption*, or the *MUTUUM* of the *Romans*; by which is understood the lending of *money, wine, corn*, and other things, that may be valued by number, weight, or measure, and are to be restored only in equal value or quantity*: this latter contract, which, according to St. GERMAN, is most properly called a *loan*, does not belong to the present subject; but it may be right to remark, that, as the *specifick* things are not to be returned, the *absolute* property of them is transferred to the borrower, who must bear the loss of them, if they be destroyed by wreck, pillage, fire, or other inevitable misfortune. Very different is the nature of the bailment in question; for a horse, a chariot, a book, a greyhound, or a fowling-piece, which are lent for the use of the bailee, ought to be redelivered *specifically*; and the owner must abide the loss, if they perish through any accident, which a *very careful and vigilant man* could not have avoided. The negligence of the borrower, who alone receives benefit from the contract, is construed rigorously,

* Doct. and Stud. dial. 2. ch. 38. Bract. 99. a. b. In Ld. Raym. 916. where this passage from *Bracton* is cited by the chief justice, *mutuam* is printed for *commodatam*; but what then can be made of the words *ad IPSAM restituendam*? There is certainly some mistake in the passage, which must be very ancient, for the oldest MS. that I have seen, is conformable to *Tottel's* edition. I suspect the omission of a whole line after the word *precium*, where the manuscript has a full point; and possibly the sentence omitted may be thus supplied from *Justinian*, whom *Bracton* copied: "At is, qui *mutuum* accepit, obligatus remanet," si forte incendio, &c. *Inst.* 3. 13. 2.

and,

and, although *slight*, makes him liable to indemnify the lender; nor will his incapacity to exert *more than ordinary* attention avail him on the ground of an *impossibility*, “which the law, says the rule, never demands;” for that maxim relates merely to things *absolutely* impossible; and it was not only very *possible*, but very *expedient*, for him to have examined his own capacity of performing the undertaking, before he deluded his neighbour by engaging in it: if the lender, indeed, was not deceived, but perfectly knew the *quality*, as well as age, of the borrower, he must be supposed to have demanded no higher care, than that of which *such* a person was capable; as, if *Paul* lend a fine horse to a raw youth, he cannot exact the same degree of management and circumspection, which he would expect from a riding-master or an officer of dragoons*.

From the rule, that a borrower is answerable for *slight* neglect, compared with the distinction before made between simple *theft* and *robbery* †, it follows, that, if the borrowed goods be *stolen* out of his possession by any person whatever, he must pay the worth of them to the lender, unless he prove, that they were purloined notwithstanding his *extraordinary* care. The example, given by JULIAN, is the first and best that occurs: *Caius* borrows a silver ewer of *Titius*, and afterwards delivers it, that it may be safely restored, to a bearer of such approved fidelity and wariness, that no event could be less expected than its being stolen; if, after all, the bearer be met in the way by scoundrels, who contrive to *steal* it, *Caius* appears to be wholly blameless, and *Titius* has suffered *damnum sine injuriâ*. It seems hardly necessary to add, that the same care, which the bailee is bound to take of the *principal* thing bailed, must be extended to such *accessory* things, as belong to it, and were delivered with it: thus a man, who borrows a watch, is responsible for *slight* neglect of the chain and seals.

* Dumoulin, tract. *De eo quod interest*, n. 185.

† See p. 626. and note *.

Although the laws of *Rome*, with which those of *England* in this respect agree, most expressly decide, that a borrower, using more than ordinary diligence, *shall not be chargeable, if there be a force which he cannot resist**, yet PUFENDORF employs much idle reasoning, which I am not idle enough to transcribe, in support of a new opinion; namely, "that the borrower ought to indemnify the lender, if the goods lent be destroyed by fire, shipwreck, or other inevitable accident, and *without his fault*, unless *his own* perish with them:" for example, if *Paul* lend *William* a horse worth thirty guineas to ride from *Oxford* to *London*, and *William* be attacked on a heath in that road by highwaymen, who kill or seize the horse, he is obliged, according to PUFENDORF and his annotator, to pay thirty guineas to *Paul*. The justice and good sense of the contrary decision are evinced beyond a doubt by M. POTHIER, who makes a distinction between those cases, where the loan was the *occasion* merely of damage to the lender, who might in the mean time have sustained a loss from other accidents, and those, where the loan was the sole efficient *cause* of his damage†; as if *Paul*, having lent his horse, should be forced in the interval by some pressing business to hire another for himself; in this case the borrower ought, indeed, to pay for the hired horse, unless the lender had voluntarily submitted to bear the inconvenience *caused* by the loan; for, in this sense and in this instance, *a benefit conferred should not be injurious to the benefactor*. As to a condition *presumed* to be imposed by the lender, that he would not abide by any loss *occasioned* by the lending, it seems the wildest and most unreasonable of presumptions: if *Paul* really intended to impose such a condition, he should have declared his mind; and I persuade myself, that *William* would have declined a favour so hardly obtained.

Had the borrower, indeed, been imprudent enough to leave the high

* D. 44. 7. 1. 4. Ld. Raym. 916.

† Poth. *Prêt à Usage*, n. 55. Puf. with Barbeyrac's notes, B. 5. C. 4. § 6.

road and pass through some thicket, where robbers might be supposed to lurk, or had he travelled in the dark at a very unseasonable hour, and had the horse, in either case, been taken from him or killed, he must have indemnified the owner; for *irresistible force* is no excuse, if a man put himself in the way of it by his own rashness. This is nearly the case, cited by *St. German* from the *Summa Rosella*, where a loan must be meant, though the word *depositum* be erroneously used*; and it is there decided, that, if the borrower of a horse will imprudently ride by a ruinous house in manifest danger of falling, and part of it actually fall on the horse's head, and kill him, the lender is entitled to the price of him; but that, if the house were in good condition and fell by the violence of a sudden hurricane, the bailee shall be discharged. For the same, or a stronger, reason, if *William*, instead of coming to *London*, for which purpose the horse was lent, go towards *Bath*, or, having borrowed him for a week, keep him for a month, he becomes responsible for any accident, that may befall the horse in his journey to *Bath*, or after the expiration of the week†.

Thus, if *Charles*, in a case before put‡, wear the masked habit and jewels of *George* at the ball, for which they were borrowed, and be robbed of them in his return home at the usual time and by the usual way, he cannot be compelled to pay *George* the value of them; but it would be otherwise, if he were to go with the jewels from the theatre to a gaming-house, and were there to lose them by any casualty whatever. So, in the instance proposed by *GAIUS* in the digest, if silver utensils be lent to a man for the purpose of entertaining a party of friends at supper in the metropolis, and he carry them into the country, there can be no doubt of his obligation to indemnify the lender, if the plate be lost by accident however irresistible.

* *Doct.* and *Stud.* where before cited.

† *Ld. Raym.* 915.

‡ *P.* 630.

There

There are other cases, in which a borrower is chargeable for *inevitable mischance*, even when he has not, as he legally may, taken the whole risk upon himself by express agreement. For example, if the house of *Caius* be in flames, and he, being able to secure one thing only, save an urn of his own in preference to the silver ewer, which he had borrowed of *Titius*, he shall make the lender a compensation for the loss; especially if the ewer be the more valuable, and would consequently have been preferred, had he been owner of them both: even if his urn be the more precious, he must either leave it, and bring away the borrowed vessel, or pay *Titius* the value of that, which he has lost; unless the alarm was so sudden, and the fire so violent, that no deliberation or selection could be justly expected, and *Caius* had time only to snatch up the first utensil, that presented itself.

Since openness and honesty are the soul of contracts, and since “a suppression of truth is often as culpable as an express falsehood,” I accede to the opinion of M. POTHIER, that, if a soldier were to borrow a horse of his friend for a battle expected to be fought the next morning, and were to *conceal from him, that his own horse was as fit for the service*, and if the horse, so borrowed, were slain in the engagement, the lender ought to be indemnified; for probably the dissimulation of the borrower induced him to lend the horse; but, had the soldier openly and frankly acknowledged, *that he was unwilling to expose his own horse*, since, in case of a loss, he was unable to purchase another, and his friend, nevertheless, had generously lent him one, the lender would have run, as in other instances, the risk of the day.

If the bailee, to use the *Roman* expression, be *IN MORA*, that is, if a *legal demand* have been made by the bailor, he must answer for any casualty that happens *after the demand*; unless in cases, where it may be strongly presumed, that the same accident would have befallen the thing

thing bailed, even if it had been restored at the proper time; or, unless the bailee have legally tendered the thing, and the bailor have put himself *in morâ* by refusing to accept it: this rule extends of course to every species of bailment.

“ Whether, in case of a *valued loan*, or, where the goods lent are
 “ *estimated at a certain price*, the borrower must be considered as bound
 “ *in all events* to restore either the things lent or the value of them,” is a question, upon which the civilians are as much divided, as they are upon the celebrated clause in the law *Contractus*: five or six commentators of high reputation enter the lists against as many of equal fame, and each side displays great ingenuity and address in this juridical tournament. D’AVEZAN supports the affirmative; and POTHIER, the negative; but the second opinion seems the more reasonable. The word PERICULUM, used by ULPIAN, is in itself equivocal: it means *hazard* in general, proceeding either from *accident* or from *neglect*; and in this latter sense it appears to have been taken by the *Roman* lawyer in the passage, which gave birth to the dispute. But, whatever be the true interpretation of that passage, I cannot satisfy myself, that, either in the *Customary Provinces* of FRANCE, or in ENGLAND, a borrower can be chargeable for all events *without his consent unequivocally given*: if William, indeed, had said to Paul alternatively, “ I promise, on my
 “ return to Oxford, either to restore your horse or to pay you thirty
 “ guineas,” he must *in all events* have performed one part of this disjunctive obligation*; but, if Paul had only said, “ the horse, which I
 “ lend you for this journey, is fairly worth thirty guineas,” no more could be implied from those words, than a design of preventing any future difficulty about the price, if the horse should be killed or injured through an omission of that *extraordinary* diligence, which the nature of the contract required.

* Palm. 55r.

Besides the *general* exception to the rule concerning the degrees of neglect, namely, *Si quid convenit vel plus vel minus*, another is, where goods are lent for a use, in which the lender has a *common interest* with the borrower: in this case, as in other bailments *reciprocally* advantageous, the bailee can be responsible for no more than *ordinary* negligence; as, if *Stephen* and *Philip* invite some common friends to an entertainment prepared at their joint expence, for which purpose *Philip* lends a service of plate to his companion, who undertakes the whole management of the feast, *Stephen* is obliged only to take *ordinary* care of the plate; but this, in truth, is rather the innominate contract *do ut facias*, than a proper *loan*.

Agreeably to this principle, it must be decided, that, if goods be lent for the *sole* advantage of the *lender*, the borrower is answerable for *gross* neglect only; as, if a passionate lover of musick were to lend his own instrument to a player in a concert, merely to augment his pleasure from the performance; but here again, the bailment is not so much a *loan*, as a *mandate*; and, if the musician were to play with all due skill and exertion, but were to break or hurt the instrument without any malice or very culpable negligence, he would not be bound to indemnify the *amateur*, as he was not in want of the instrument, and had no particular desire to use it. If, indeed, a poor artist, having lost or spoiled his violin or flute, be much distressed by this loss, and a brother-musician obligingly, though *voluntarily*, offer to lend him his own, I cannot agree with DESPEISSES, a learned advocate of *Montpellier* and writer on *Roman* law, that the player may be less careful of it than any other borrower: on the contrary, he is bound, in conscience at least, to raise his attention even to a higher degree; and his negligence ought to be construed with rigour.

By the law of MOSES, as it is commonly translated, a remarkable distinction was made between the loss of borrowed cattle or goods, happening

pening in the *absence*, or the *presence*, of the OWNER ; for, says the divine legislator, “ if a man borrow aught of his neighbour, and it be hurt or “ die, *the owner thereof not being with it*, he shall surely make it good ; “ but, if the *owner thereof be with it*, he shall *not* make it good * :” now it is by no means *certain*, that the original word signifies the *owner*, for it *may* signify the *possessor*, and the law *may* import, that the borrower ought not to lose sight, when he can possibly avoid it, of the thing borrowed ; but, if it was intended, that the borrower should always answer for casualties, *except in the case*, which must rarely happen, of *the owner's presence*, this exception seems to prove, that no casualties were meant, but such as *extraordinary* care might have prevented ; for I cannot see, what difference could be made by the presence of the owner, if the force, productive of the injury, were wholly irresistible, or the accident inevitable.

An old *Athenian* law is preserved by DEMOSTHENES, from which little can be gathered on account of its generality and the use of an ambiguous word † : it is understood by PETIT as relating to guardians, mandataries, and commissioners ; and it is cited by the orator in the case of a guardianship. The *Athenians* were, probably, satisfied with speaking very generally in their laws, and left their juries, for juries they certainly had, to decide favourably or severely, according to the circumstances of each particular case.

IV. As to the degree of diligence, which the law requires from a *pawnee*, I find myself again obliged to dissent from sir EDWARD COKE, with whose opinion a similar liberty has before been taken in regard to a *depository*.; for that very learned man lays it down, that, “ if goods be

* Exod. xxii. 14, 15.

† Περὶ ὧν καθυφῆκε τις, ὁμοίως ὀφλισκάνει, ὥσπερ ἂν αὐτὸς ἔχῃ. Reiske's edition, 855. 3. Here the verb καθυφίναί, may imply *flight*, or *ordinary*, neglect ; or even *fraud*, as Petit has rendered it.

“ delivered

“ delivered to one as a *gage* or *pledge*, and they be *stolen*, he shall be
 “ discharged, because *he hath a property* in them; and, *therefore*, he
 “ ought to keep them *no otherwise than his own**”: I deny the first
 proposition, the reason, and the conclusion.

Since the bailment, which is the subject of the present article, is beneficial to the *pawnee* by securing the payment of his debt, and to the *pawnor* by procuring him credit, the rule, which natural reason prescribes, and which the wisdom of nations has confirmed, makes it requisite for the person, to whom a gage or pledge is bailed, to take *ordinary* care of it; and he must consequently be responsible for *ordinary* neglect†. This is expressly holden by BRACTON; and, when I rely on his authority, I am perfectly aware, that he copied JUSTINIAN almost word for word, and that lord HOLT, who makes considerable use of his treatise, observes three or four times, “ that he was an *old* author ‡” ; but, although he had been a civilian, yet he was also a great common-lawyer, and never, I believe, adopted the rules and expressions of the *Romans*, except when they coincided with the laws of *England* in his time: he is certainly the *best* of our juridical clafficks; and, as to our *ancient* authors, if their doctrine be *not law*, it must be left to mere historians and antiquaries; but, if it remain unimpeached by any later decision, it is not only equally binding with the most recent law, but has the advantage of being matured and approved by the collected sagacity and experience of ages. The doctrine in question has the full assent of lord HOLT himself; who declares it to be “ *sufficient*, if the pawnee use
 “ *true*, and *ordinary*, diligence for restoring the goods, and that, so
 “ doing, he will be indemnified, and, notwithstanding the loss, shall
 “ resort to the pawnor for his debt.” Now it has been proved, that “ a

* 1 Inst. 89. a. 4 Rep. 83. b.

† Bract. 99. b.

‡ Ld. Raym. 915, 916. 919.

“ bailee

“bailee cannot be considered as using *ordinary* diligence, who suffers “the goods bailed to be taken by *stealth* out of his custody *”; and it follows, that “a pawnee shall *not* be discharged, if the pawn be simply “*stolen* from him;” but if he be forcibly *robbed* of it *without his fault*, his debt shall not be extinguished.

The passage in the *Roman institutes*, which BRACTON has nearly transcribed, by no means convinces M. LE BRUN, that a *pawnee* and a *borrower* are not responsible for *one and the same* degree of negligence; and it is very certain, that ULPIAN, speaking of the *Actio pignoratitia*, uses these remarkable words: “Venit in *hac* actione et *dolus* et *culpa* UT “in *commodato*, venit et custodia; vis major non venit.” To solve this difficulty, NOODT has recourse to a conjectural emendation, and supposes UT to have been inadvertently written for AT; but, if this was a mistake, it must have been pretty ancient, for the *Greek* translators of this sentence use a particle of similitude, not an adverbative: there seems, however, no occasion for so hazardous a mode of criticism. ULPIAN has not said, “*talis culpa qualis* in *commodato*;” nor does the word UT imply an *exact* resemblance: he meant, that a pawnee was answerable for *neglect*, and gave the first instance, that occurred, of another contract, in which the party was likewise answerable for *neglect*, but left the *sort* or *degree* of negligence to be determined by his *general* rule; conformably to which he himself expressly mentions PIGNUS among other contracts *reciprocally useful*, and distinguishes it from COMMODATUM, whence the borrower *solely* derives advantage †.

It is rather less easy to answer the case in the book of *Affise*, which seems wholly subversive of my reasoning, and, if it stand unexplained, will break the harmony of my system ‡; for there, in an action of

* P. 626. note *.

† Before p. 606.

‡ 29 Aff. pl. 28.

detinue for a hamper, which had been bailed by the plaintiff to the defendant, the bailee pleaded, "that it was delivered to him *in gage* " for a certain sum of money; that he had put it among his other " goods; and that all together had been *stolen* from him:" now, according to my doctrine, the plaintiff might have demurred to the plea; but he was *driven* to reply, "that he *tendered* the money before the " *stealing*, and that the creditor refused to accept it," on which fact issue was joined; and the reason, assigned by the chief justice, was, that, "if a man bail goods to me *to keep*, and I put them among " my own, I shall not be charged, if they be *stolen*." To this case I answer: first, that, if the court really made no difference between a *pawnee* and a *depository*, they were indubitably mistaken; for which assertion I have the authority of BRACTON, lord HOLT, and ST. GERMAN, who ranks the taker of a *pledge* in the same class with a *hirer* of goods *; next, that in a much later case, in the reign of HEN. VI. where a *hiring of custody* seems to be meant, the distinction between a *theft* and a *robbery* is taken agreeably to the *Roman law* †; and, lastly, that, although in the strict propriety of our *English* language, to *steal* is to take *clandestinely*, and to *rob* is to seize by *violence*, corresponding with the *Norman* verbs *emleer* and *robber*, yet those words are sometimes used inaccurately; and I always suspected, that the case in the book of *Assise* related to a *robbery*, or a taking *with force*; a suspicion confirmed beyond any doubt by the judicious BROOK, who abridges this very case with the following title in the margin, "Que ferra al perde, quant les " biens sont *robbed* ‡:" and, in a modern work, where the old cases are referred to, it appears to have been settled, in conformity to them and to reason, "that if the pawn be laid up, and the pawnee be *robbed*, " he shall not be answerable §:" but lord COKE seems to have used the word *stolen* in its proper sense, because he plainly compares a pawn with a deposit.

* Doct. and Stud. dial 2. ch. 38.

† Abr. tit. Bailment, pl. 7.

‡ Before, p. 626. note *.

§ 2 Salk. 522.

If,

If, indeed, the thing pledged be taken *openly* and *violently* through the *fault* of the pledgee, he shall be responsible for it; and, after a *tender* and *refusal* of the money owed, which are equivalent to actual *payment*, the whole property is instantly re-vested in the pledgor, and he may consequently maintain an action of trover*: it is said in a most useful work, that by such tender and refusal the thing pawned “ceases to be a pledge and becomes a *deposit*†;” but this must be an error of impression; for there can never be a *deposit* without the owner’s consent, and a *depository* would be chargeable only for *gross* negligence, whereas the pawnee, whose special property is determined by the wrongful detainer, becomes liable in all possible events to make good the thing lost, or to relinquish his debt‡.

The reason, given by COKE for his doctrine, namely, “because the pawnee has a *property* in the goods pledged,” is applicable to every other sort of bailment, and proves nothing in regard to any *particular* species; for every bailee has a temporary *qualified* property in the things, of which possession is delivered to him by the bailor, and has, therefore, a possessory action or an appeal in his own name against any stranger, who may damage or purloin them§. By the *Roman* law, indeed, “even the possession of the depository was holden to be that of the person depositing;” but with us the general bailee has unquestionably a *limited* property in the goods intrusted to his care: he may not, however, use them on any account without the consent of the owner, either expressly given, if it can possibly be obtained, or at least strongly presumed; and this presumption varies, as the thing is likely to be better, or worse, or not at all affected, by usage; since, if Caius deposit a *setting-dog* with Titius, he can hardly be supposed unwilling, that the dog should be used for partridge-shooting, and thus be confirmed in those habits,

* 29 Aff. pl. 28. Yelv. 179. Ratcliff and Davis.

† Ld. Raym. 917.

‡ Law of Nisi Prius, 72.

§ Yearb. 21 Hen. VII. 14. b. 15. a.

which

which make him valuable ; but, if *clothes* or *linen* be deposited by him, one can scarce imagine, that he would suffer them to be worn ; and, on the other hand, it may justly be inferred, that he would gladly indulge *Titius* in the liberty of using the *books*, of which he had the custody, since even moderate care would prevent them from being injured. In the same manner it has been holden, that the pawnee of goods, which will be *impaired* by usage, cannot use them ; but it would be otherwise, I apprehend, if the things pawned actually *required* exercise and a continuance of habits, as sporting-dogs and horses : if they cannot be hurt by being worn, they may be used, but *at the peril* of the pledgee ; as, if chains of gold, ear-rings, or bracelets, be left in pawn with a lady, and she wear them at a publick place, and be *robbed* of them on her return, she must make them good : “ if she keeps them in a bag,” says a learned and respectable writer, “ and they are *stolen*, she shall not be charged* ;” but the bag could hardly be taken *privately and quietly* without her omission of *ordinary* diligence ; and the manner, in which lord HOLT puts the case, establishes my system, and confirms the answer just offered to the case from the Year-book ; for, “ if she keep the jewels,” says he, “ *locked up* in her cabinet, and her cabinet be *broken open*, and the “ jewels taken thence, she will not be answerable†.” Again ; it is said, that, where the pawnee is at any expense to maintain the thing given in pledge, as, if it be a horse or a cow, he may ride the horse moderately, and milk the cow regularly, by way of compensation for the charge‡ ; and this doctrine must be equally applicable to a general bailee, who ought neither to be injured nor benefited in any respect by the trust undertaken by him ; but the *Roman* and *French* law, more agreeably to principle and analogy, permits indeed both the pawnee and the depositary to milk the cows delivered to them, but requires them to account with the respective owners for the value of the milk and calves,

* Law of *Nisi Prius*, 72.

† Ld. Raym. 917.

‡ Ow. 124.

deducting

deducting the reasonable charges of their nourishment*. It follows from these remarks, that lord COKE has assigned an inadequate reason for the degree of diligence, which is demanded of a pawnee; and the true reason is, that the law requires nothing *extraordinary* of him.

But, if the receiver in pledge *were* the only bailee, who had a *special property* in the thing bailed, it could not be logically inferred, "that, *therefore*, he ought to keep it merely *as his own*:" for, even if *Caius* have an *absolute* undivided property in goods, jointly or in common with *Septimius*, he is bound by rational, as well as positive, law to take *more* care of them *than of his own*, unless he be in fact a prudent and thoughtful manager of his own concerns; since every man ought to use *ordinary* diligence in affairs, which interest *another* as well as himself: "*Aliena negotia*," says the emperor CONSTANTINE, "*exacto officio geruntur* †."

The conclusion, therefore, drawn by sir EDWARD COKE, is no less illogical than his premises are weak; but here I must do M. LE BRUN the justice to observe, that the argument, on which his whole system is founded, occurred likewise to the great oracle of *English* law; namely, that a person, who had a *property* in things committed to his charge, was only obliged to be *as careful of them as of his own* goods; which may be very true, if the sentence be predicated of a man *ordinarily* careful of his own; and, if that was LE BRUN's hypothesis, he has done little more than adopt the system of GODEFROI, who exacts *ordinary* diligence from a *partner* and a *co-proprietor*, but requires a *higher* degree in eight of the ten preceding contracts.

Pledges for debt are of the highest antiquity: they were used in very early times by the roving *Arabs*, one of whom finely remarks, "that

* Poth. *Dépôt*, n. 47. *Nantissement*, n. 35.

† C. 4. 35. 21.

" the

“ the life of man is no more than a *pledge* in the hands of Destiny ;” and the salutary laws of MOSES, which forbade certain implements of husbandry and a widow’s raiment to be given in pawn, deserve to be imitated as well as admired. The distinction between *pledging*, where possession is transferred to the creditor, and *hypothecation*, where it remains with the debtor, was originally *Attick* ; but scarce any part of the *Athenian* laws on this subject can be gleaned from the ancient orators, except what relates to bottomry in five speeches of DEMOSTHENES.

I cannot end this article, without mentioning a singular case from a curious manuscript preserved at *Cambridge*, which contains a collection of queries in *Turkish*, together with the decisions or concise answers of the MUFTI at *Constantinople* : it is commonly imagined, that the *Turks* have a translation in their own language of the *Greek* code, from which they have supplied the defects of their *Tartarian* and *Arabian* jurisprudence * ; but I have not met with any such translation, although I admit the conjecture to be highly probable, and am persuaded, that their numerous treatises on *Mahomedan* law are worthy on many accounts of an attentive examination. The case was this : “ *Zaid* had left with “ *Amru* divers goods in pledge for a certain sum of money, and some “ *ruffians*, having entered the house of *Amru*, took away his own goods “ together with those pawned by *Zaid*.” Now we must necessarily suppose, that the creditor had by *his own fault* given occasion to this robbery ; otherwise we may boldly pronounce, that the *Turks* are wholly unacquainted with the imperial laws of BYZANTIUM, and that their own rules are totally repugnant to natural justice ; for the party proceeds to ask, “ whether, *since the debt became extinct by the loss of the* “ *pledge*, and since the goods pawned exceeded in value the amount of “ the debt, *Zaid* could legally demand the balance of *Amru* ;” to which question the great law-officer of the *Othman* court answered with the

* *Duck* de Auth. Jur. Civ. Rom. I. 2. 6.

brevity usual on such occasions, OLMAZ, *It cannot be**. This custom, we must confess, of proposing cases both of law and conscience under *feigned* names to the supreme judge, whose answers are considered as solemn *decrees*, is admirably calculated to prevent partiality and to save the charges of litigation.

V. The last species of bailment is by no means the least important of the five, whether we consider the infinite convenience and daily use of the contract itself, or the variety of its branches, each of which shall now be succinctly, but accurately, examined.

1. *Locatio*, or *locatio-conductio*, REI, is a contract, by which the hirer gains a transient qualified property in the *thing* hired, and the owner acquires an absolute property in the stipend, or price, of the hiring; so that, in truth, it bears a strong resemblance to the contract of *emptio-venditio*, or SALE; and, since it is advantageous to *both* contracting parties, the harmonious consent of nations will be interrupted, and one object of this essay defeated, if the laws of *England* shall be found, on a fair inquiry, to demand of the hirer a *more than ordinary* degree of diligence. In the most recent publication, that I have read on any legal subject, it is expressly said, "that the hirer is to take *all imaginable* care of the goods delivered for hire †:" the words *all imaginable*, if the principles before established be just, are too strong for practice even in the strict case of *borrowing*; but, if we take them in the mildest sense, they must imply an *extraordinary* degree of care; and this doctrine, I presume, is founded on that of lord HOLT in the case of COGGS and BERNARD, where the great judge lays it down, "that, if goods

* Publ. Libr. Cambr. MSS. Dd. 4. 3. See Wotton, LL. *Hywel Dda.* lib. 2. cap. 2. § 29. note x. It may possibly be the usage in *Turky* to stipulate "ut amissio pignoris liberet debitorem," as in C. 4. 24. 6.

† Law of *Nisi Prius*, 3d edition corrected, 72.

" are

“are let out for a *reward*, the *hirer* is bound to the UTMOST diligence, “such as the MOST *diligent father of a family* uses*.” It may seem bold to controvert so respectable an opinion; but, without insisting on the palpable injustice of making a *borrower* and a *hirer* answerable for precisely the *same* degree of neglect, and without urging, that the point was not then before the court, I will engage to show, by tracing the doctrine up to its real source, that the *dictum* of the chief justice was entirely grounded on a grammatical mistake in the translation of a single *Latin* word.

In the first place, it is indubitable, that his lordship relied *solely* on the authority of BRACTON; whose words he cites at large, and immediately subjoins, “*whence it appears, &c.*” now the words, “*talis ab eo deferatur custodia, qualem DILIGENTISSIMUS paterfamilias suis rebus adhibet,*” on which the whole question depends, are copied exactly from JUSTINIAN†, who informs us in the *proeme* to his Institutes, that his decisions in that work were extracted *principally from the Commentaries of GAIUS*; and the epithet *diligentissimus* is in fact used by this ancient lawyer‡, and by him alone, on the subject of hiring: but GAIUS is remarked for writing with energy, and for being fond of using *superlatives*, where all other writers are satisfied with *positives*§; so that his forcible manner of expressing himself, in this instance as in some others, misled the compilers employed by the Emperor, whose words THEOPHILUS rendered more than literally, and BRACTON transcribed; and thus an epithet, which ought to have been translated *ordinarily* diligent, has been supposed to mean *extremely* careful. By rectifying this mistake, we restore the broken harmony of the *pandects* with the *institutes*, which, together with the *code*, form *one connected work*||, and, when properly

* *Ld. Raym.* 916.

† *Bract.* 62. b. *Justin. Inst.* 3. 25. 5. where *Theophilus* has ὁ σφόδρα ἐπιμελής αὐτός.

‡ *D.* 19. 2. 25. 7.

§ *Le Brun*, p. 93.

|| *Burr.* 426.

understood,

understood, explain and illustrate each other; nor is it necessary, I conceive, to adopt the interpretation of M. DE FERRIERE, who imagines, that both JUSTINIAN and GAIUS are speaking only of cases, which *from their nature* demand extraordinary care *.

There is no authority then against the rule, which requires of a *hirer* the same degree of diligence, that *all prudent men*, that is, *the generality of mankind*, use in keeping their own goods; and the just distinction between *borrowing* and *hiring*, which the *Jewish* lawgiver emphatically makes, by saying, “if it be an hired thing, *it came for its hire* †,” remains established by the concurrent wisdom of nations in all ages.

If *Caius* therefore hire a horse, he is bound to ride it as moderately and treat it as carefully, as any man of *common discretion* would ride and treat *his own* horse; and if, through his negligence, as by leaving the door of his stable open at night, the horse be *stolen*, he must answer for it; but not, if he be *robbed* of it by highwaymen, unless by his imprudence he gave occasion to the robbery, as by travelling at unusual hours, or by taking an unusual road: if, indeed, he hire a carriage and any number of horses, and the owner send with them his postilion or coachman, *Caius* is discharged, from all attention to the horses, and remains obliged only to take ordinary care of the glassess and inside of the carriage, while he sits in it.

Since the negligence of a servant, *acting under his master's directions express or implied*, is the negligence of the master, it follows, that, if the *servant* of *Caius* injure or kill the horse by riding it immoderately, or, by leaving the stable-door open, suffer thieves to steal it, *Caius* must make the owner a compensation for his loss ‡; and it is just the same, if he take a ready-furnished lodging, and his guests, or servants, while

* *Inst.* vol. V. p. 138.† *Exod.* xxii. 15.‡ *Salk.* 282. *Ld. Raym.* 619.

they act under the authority given by him, damage the furniture by the omission of ordinary care. At *Rome* the law was not quite so rigid; for POMPONIUS, whose opinion on this point was generally adopted, made the master liable, only *when he was culpably negligent in admitting careless guests or servants*, whose bad qualities he ought to have known*: but this distinction must have been perplexing enough in practice; and the rule, which, by making the head of a family answerable indiscriminately for the faults of those, whom he receives or employs, compels him to keep a vigilant eye on all his domesticks, is not only more simple, but more conducive to the publick security, although it may be rather harsh in some particular instances†. It may here be observed, that this is the only contract, to which the *French*, from whom our word *bailment* was borrowed, apply a word of the same origin; for the letting of a house or chamber for hire is by them called *bail à loyer*, and the letter for hire, *bailleur*, that is, *bailor*, both derived from the old verb *bailler*, to deliver; and, though the contracts, which are the subject of this essay, be generally confined to *moveable* things, yet it will not be improper to add, that, if *immoveable* property, as an orchard, a garden, or a farm, be letten by parol, with no other stipulation than for the price or rent, the lessee is bound to use the same diligence in preserving the trees, plants, or implements, that *every prudent person* would use, if the orchard, garden, or farm, were his own.

2. *Locatio OPERIS*, which is properly subdivisible into two branches, namely, *faciendi*, and *mercium vehendarum*, has a most extensive influence in civil life; but the principles, by which the obligations of the contracting parties may be ascertained, are no less obvious and rational, than the objects of the contract are often vast and important‡.

If

* D. 19. 2. 11.

† Poth. *Louage*, n. 193.

‡ It may be useful to mention a nicety of the *Latin* language in the application of the verbs *locare* and *conducere*: the employer, who gives the reward, is *locator operis*, but *conductor operarum*; while the party

If *Titius* deliver silk or velvet to a tailor for a suit of clothes, or a gem to a jeweller to be set or engraved, or timber to a carpenter for the rafters of his house, the tailor, the engraver, and the builder, are not only obliged to perform their several undertakings in a workmanly manner*: but, *since they are entitled to a reward*, either by express bargain or by implication, they must also take *ordinary* care of the things respectively bailed to them: and thus, if a horse be delivered either to an agisting farmer for the purpose of depasturing in his meadows, or to an hostler to be dressed and fed in his stable, the bailees are answerable for the loss of the horse, if it be occasioned by the *ordinary* neglect of themselves or their servants. It has, indeed, been adjudged, that, if the horse of a guest be sent *to pasture* by *the owner's desire*, the innholder is not, *as such*, responsible for the loss of him by *theft* or accident†; and, in the case of *Mosley and Fosset*, an action against an agister for keeping a horse *so negligently that it was stolen*, is said to have been held maintainable *only* by reason of a *special* assumption‡; but the case is differently reported by *ROLLE*, who mentions no such reason; and, according to him, chief justice *POPHAM* advanced generally, in conformity to the principles before established, that, “if a man, to whom horses are bailed for
 “agistment, *leave open the gates of his field*, in consequence of which
 “neglect they stray and are *stolen*, the owner has an action against
 “him:” it is the same, if the innkeeper send his guest's horse to a meadow *of his own accord*, for he is bound to keep safely all such things

party employed, who receives the pay, is *locator operarum*, but *conductor operis*. *HEINECC. in Pand.* par. 3. § 320. So, in *Horace*,

“Tu secanda marmora

“*Locas*”—

which the stonehewer or mason *conduxit*.

* 1 Ventr. 268. erroneously printed 1 Vern. 268. in all the editions of *Bl. Comm.* II. 452. The innumerable multitude of inaccurate or idle references, in our best reports and law-tracts, is the bane of the student and of the practitioner.

† 8 Rep. 32. *Cayle's case*.

‡ Mo. 543. 1 Ro. Abr. 4.

as his guests deposit *within his inn*, and shall not discharge himself by his own act from that obligation; and, even when he turns out the horse *by order of the owner*, and receives pay for his grass and care, he is chargeable, surely, for *ordinary negligence*, as a *bailee for hire*, though not as an *innkeeper* by the general custom of the realm. It may be worth while to investigate the reasons of this *general custom*, which in truth means no more than *common law*, concerning innholders*.

Although a stipend or reward in *money* be the essence of the contract called *locatio*, yet the same responsibility for neglect is justly demanded in any of the *innominate* contracts, or, whenever a valuable consideration of any kind is given or stipulated. This is the case, where the contract *do ut des* is formed by a *reciprocal bailment for use*, as if *Robert* permit *Henry* to use his *pleasure-boat* for a day, in consideration that *Henry* will give him the use of his *chariot* for the same time; and so in ten thousand instances, that might be imagined, of *double bailments*: this too is the case, if the *absolute* property of one thing be given as an equivalent for the *temporary* or limited property of another, as if *Charles* give *George* a brace of pointers for the use of his *hunter* during the season. The same rule is applicable to the contract *facio ut facias*, where two persons agree to perform *reciprocal works*; as if a mason and a carpenter have each *respectively* undertaken to build an edifice, and they mutually agree, that the first shall finish all the masonry, and the second all the wood-work, in their respective buildings; but, if a goldsmith make a bargain with an architect to give him a quantity of wrought plate for building his house, this is the contract *do ut facias*, or *facio ut des*; and, in all these cases, the bailees must answer for the omission of *ordinary diligence* in preserving the things, with which they are intrusted: so, when *Jacob* undertook the care of *Laban's* flocks and herds for no less a

* Reg. Orig. 105. a. Noy, Max. ch. 43.

reward than his younger daughter, whom he loved so passionately, *that seven years were in his eyes like a few days*, he was bound to be just as vigilant, as if he had been paid in shekels of silver.

Now the obligation is precisely the same, as we have already hinted*, when a man takes upon himself the custody of goods *in consequence and consideration of another gainful contract*; and, though an innholder be not paid in money for securing the traveller's trunk, yet the guest *facit ut faciat*, and alights at the inn, not solely for his own refreshment, but also that his goods may be safe: independently of this reasoning, the custody of the goods may be considered as *accessary* to the principal contract, and the money paid for the apartments as extending to the care of the box or portmanteau; in which light GAIUS and, as great a man as he, lord HOLT, seem to view the obligation; for they agree, "that, although a bargeman and a master of a ship receive their fare for the passage of travellers, and an innkeeper his pay for the accommodation and entertainment of them, but have no pecuniary reward for the mere custody of the goods belonging to the passengers or guests, yet they are obliged to take *ordinary* care of those goods; as a fuller and a mender are paid for their *skill only*, yet are answerable, *ex locato*, for *ordinary* neglect, if the clothes be lost or damaged †."

In whatever point of view we consider this bailment, no more is *regularly* demanded of the bailee than the care, which *every prudent man* takes of his own property; but it has long been holden, that an *innkeeper* is bound to restitution, if the trunks or parcels of his guests, committed to him either personally or through one of his agents, be damaged *in his inn*, or *stolen out of it*, by *any person whatever* ‡; nor shall he discharge himself from this responsibility by a refusal to take any care of the

* P. 629, 630. † D. 4. 9. 5. and 12 Mod. 487. ‡ Yearb. 10 Hen. VII. 26. 2 Cro. 189.

goods,

goods, *because there are suspected persons in the house, for whose conduct he cannot be answerable**: it is otherwise, indeed, if he refuse admission to a traveller, because he really has no room for him, and the traveller, nevertheless, insist upon entering, and place his baggage in a chamber without the keeper's consent†.

Add to this, that, if he fail to provide honest *servants* and honest *inmates*, according to the confidence reposed in him by the publick, his negligence in that respect is highly culpable, and he ought to answer *civilly* for their acts, even if they should *rob* the guests, who sleep in his chambers‡. Rigorous as this law may seem, and hard as it may actually be in one or two particular instances, it is founded on the great principle of publick utility, to which all private considerations ought to yield; for travellers, who must be numerous in a rich and commercial country, are obliged to rely almost implicitly on the good faith of innholders, whose education and morals are usually none of the best, and who might have frequent opportunities of associating with ruffians or pilferers, while the injured guest could seldom or never obtain legal proof of such combinations, or even of their *negligence*, if no actual fraud had been committed by them. Hence the Prætor declared, according to POMPONIUS, *his desire of securing the public from the dishonesty of such men*, and by his *edict* gave an action against them, if the goods of travellers or passengers were lost or hurt by any means, except *damno fatali*, or by *inevitable accident*; and ULPIAN intimates, that even this severity could not restrain them from knavish practices or suspicious neglect||.

In all such cases, however, it is competent for the innholder to repel the *presumption* of his knavery or default, by *proving* that he took *ordinary* care, or that the *force*, which occasioned the loss or damage, was truly *irresistible*.

* Mo. 78. † Dy. 158. b. 1 And. 29. ‡ 1 Bl. Comm. 430. || D. 4. 9. 1. and 3.

When

When a private man demands and receives a compensation for the *bare custody* of goods in his warehouse or store-room, this is *not* properly a *deposit*, but a *hiring of care and attention*: it may be called *locatio custodiæ*, and might have been made a distinct branch of this last sort of bailment, if it had not seemed useless to multiply subdivisions; and the bailee may still be denominated *locator operæ*, since the *vigilance and care*, which he *lets out* for pay, are in truth a mental operation. Whatever be his appellation, either in *English* or *Latin*, he is clearly responsible, like other interested bailees, for *ordinary* negligence; and, although St. GERMAN seems to make no difference in this respect between a *keeper of goods for hire* and a *simple depositary*, yet he uses the word *DEFAULT*, like the *CULPA* of the *Romans*, as a generical term, and leaves the *degree* of it to be ascertained by the rules of law*.

In the sentence immediately following, he makes a very material distinction between the two contracts; for, “if a man, says he, have a *certain recompense* for the keeping of goods, and promise, at the time of “the delivery, *to redeliver them safe at his peril*, then he shall be charged “with *all chances*, that may befall; but, if he make *that* promise, and “have nothing for keeping them, he is bound to *no casualties*, but such “as are wilful, and happen *by his own default*.” now the word *PERIL*, like *periculum*, from which it is derived, is in itself ambiguous, and sometimes denotes the *risk* of *inevitable mischance*, sometimes the *danger* arising from a *want of due circumspection*; and the *stronger sense* of the word was taken in the first case *against him, who uttered it*; but, in the second, where the construction is favourable, the *milder sense* was justly preferred†. Thus, when a person, who, if he were wholly *uninterested*, would be a *mandatary*, undertakes for a *reward* to perform *any work*, he must be considered as bound still more strongly, *to use a degree of dili-*

* *Doct.* and *Stud.* where before cited.

† See before, p. 626.

gence adequate to the performance of it: his obligation must be rigorously construed, and he would, perhaps, be answerable for *slight* neglect, where no more could be required of a *mandatary* than *ordinary* exertions. This is the case of commissioners, factors, and bailiffs, when their undertaking *lies in fefance*, and not simply in *custody*: hence, as peculiar care is demanded in removing and raising a fine column of granate or porphyry, without injuring the shaft or the capital, GAIUS seems to exact *more than ordinary* diligence from the undertaker of such a work for a stipulated compensation*. Lord COKE considers a factor in the light of a *servant*, and thence deduces his obligation; but, with great submission, his *reward* is the true reason, and *the nature of the business* is the just measure, of his duty†; which cannot, however, extend to a responsibility for *mere accident* or *open robbery*‡; and, even in the case of *theft*, a factor has been holden excused, when he showed, “that he had *laid up* the goods of his principal in a warehouse, out of which they were *stolen* by certain malefactors to him unknown ||.”

Where *skill* is required, as well as *care*, in performing the work undertaken, the bailee for *hire* must be supposed to have engaged himself for *a due application of the necessary art*: it is his own fault, if he undertake a work above his strength; and all, that has before been advanced on this head concerning a *mandatary*, may be applied with much greater force to a *conductor operis faciendi* §. I conceive, however, that, where the bailor has not been deluded by any but himself, and voluntarily employs in one art a man, who openly exercises another, his folly has no claim to indulgence; and that, unless the bailee make false pretensions, or a *special* undertaking, no more can fairly be demanded of him than the best of his ability**. The case, which SADI relates with elegance and humour in his *Gulistan* or *Rose-garden*, and which PUFENDORF cites

* D. 19. 2. 7.

† 4 Rep. 84. Ld. Raym. 918.

‡ 1 Inst. 89. a.

|| 1 Vent. 121. Vere and Smith. § Spondet, say the Roman lawyers, *peritiam artis*. ** P. 633.

with

with approbation*, is not inapplicable to the present subject, and may serve as a specimen of *Mahomedan law*, which is not so different from ours, as we are taught to imagine: ‘A man, who had a disorder in his eyes, called on a *farrier* for a remedy; and he applied to them a medicine commonly used for *his* patients: the man lost his sight, and brought an action for damages; but the judge said, “No action lies, for, if the complainant had not himself been an *afs*, he would never have employed a *farrier*,” and SADI proceeds to intimate, that, “if a person will employ a common *mat-maker* to weave or embroider a *fine carpet*, he must impute the bad workmanship to his own folly†.”

In regard to the distinction before-mentioned between the *nonfessance* and the *misfessance* of a workman‡, it is *indisputably* clear, that an action lies in *both* cases for a reparation in damages, whenever the work was undertaken for a *reward*, either actually paid, *expressly* stipulated, or, in the case of a *common* trader, strongly *implied*; of which BLACKSTONE gives the following instance: “If a *builder* promises, undertakes, or assumes to *Caius*, that he will build and cover his house within a time limited, and fails to do it, *Caius* has an action on the case against the builder for this breach of his express promise, and shall recover a pecuniary satisfaction for the injury sustained by such delay||.” The learned author meant, I presume, a *common* builder, or supposed a *consideration* to be given; and for this reason I forbore to cite his doctrine as in point on the subject of an action for the *nonperformance* of a *mandatory* §.

* De Jure Nat. et Gent. lib. 5. cap. 5. § 3.

† Rosar. Polit. cap. 7. There are numberless tracts in *Arabick*, *Persian*, and *Turkish*, on every branch of jurisprudence; from the best of which it would not be difficult to extract a complete system, and to compare it with our own; nor would it be less easy, to explain in *Persian* or *Arabick* such parts of our *English* law, as either coincide with that of the *Asiatics*, or are manifestly preferable to it.

‡ P. 633, &c.

|| 3 Comm. 157.

§ P. 634, 635, 638.

Before we leave this article, it seems proper to remark, that every bailee for *pay*, whether *conductor rei* or *conductor operis*, must be supposed to know, that the goods and chattels of his bailor are in *many* cases *distrainable* for rent, if his landlord, who might otherwise be shamefully defrauded, find them on the premises*; and, as they cannot be distrained and sold without his *ordinary* default *at least*, the owner has a remedy over against him, and must receive a compensation for his loss†: even if a *depository* were to remove or conceal *his own* goods, and those of his depositor were to be seized for rent-arriere, he would unquestionably be bound to make restitution; but there is no obligation in the bailee to *suggest wise precautions against inevitable accident*; and he cannot, therefore, be obliged *to advise insurance from fire*; much less *to insure* the things bailed without an authority from the bailor.

It may be right also to mention, that the distinction, before taken in regard to *loans*‡, between an obligation to restore the *specifick* things, and a power or necessity of returning *others equal in value*, holds goods likewise in the contracts of *hiring* and *depositing*: in the first case, it is a regular *bailment*; in the second, it becomes a *debt*. Thus, according to ALFENUS in his famous law, on which the judicious BYNKER-SHOEK has learnedly commented, “if an ingot of silver be delivered to a silver-smith to make an urn, the *whole* property is transferred, and the employer is only a *creditor* of metal equally valuable, which the workman engages to *pay* in a certain shape||:” the smith may consequently apply it to his own use; but, if it perish, even by unavoidable mischance or irresistible violence, he, as owner of it, must abide the loss, and the creditor must have his urn in due time. It would be otherwise, no doubt, if the *same* silver, on account of its

* Burr. 1498. &c.

† 3 Bl. Comm. 8.

‡ P. 640, 641.

|| D. 19. 2. 31. Bynk. *Obs. Jur. Rom.* lib. VIII.

peculiar

peculiar fineness, or any uncommon metal, according to the whim of the owner, were agreed to be *specifically* redelivered in the form of a cup or a standish.

3. *Locatio operis* MERCIUM VEHENDARUM is a contract, which admits of many varieties in *form*, but of none, as it seems *at length* to be settled, in the *substantial* obligations of the bailee.

A *carrier for hire* ought, by the rule, to be responsible only for *ordinary* neglect; and, in the time of HENRY VIII. it appears to have been generally holden, "that a *common* carrier was chargeable, in case of a " loss by *robbery*, only when he had travelled by *ways dangerous for* " *robbing*, or driven by *night*, or at any *inconvenient hour* *:" but, in the commercial reign of ELIZABETH, it was resolved, upon the same broad principles of policy and convenience, that have been mentioned in the case of *innholders*, "that, if a *common carrier* be *robbed* of the goods " delivered to him, he shall answer for the value of them †."

Now the *reward* or *hire*, which is considered by sir EDWARD COKE as the reason of this decision, and on which the principal stress is often laid in our own times, makes the carrier liable, indeed, for the omission of *ordinary* care, but cannot extend to *irresistible force*; and, though some other bailees have a *recompense*, as *factors* and *workmen for pay*, yet, even in *Woodlief's* case, the chief justice admitted, that *robbery* was a good plea for a *factor*, though it was a bad one for a *carrier*: the true ground of that resolution is the *publick employment* exercised by the carrier, and the danger of his combining with *robbers* to the infinite injury of commerce and extreme inconvenience of society ‡.

* Doct. and Stud. where often before cited.

† 1 Inst. 89. a. Mo. 462. 1 Ro. Abr. 2. *Woodlief* and *Curties*.

‡ Ld. Raym. 917. 12 Mod. 487.

The modern rule concerning a *common* carrier is, that “nothing will excuse him, except *the act of God*, or of *the King’s enemies* *;” but a momentary attention to the principles must convince us, that this exception is in truth part of the rule itself, and that the responsibility for a loss by *robbers* is only an exception to it: a carrier is *regularly* answerable for neglect, but not, *regularly*, for damage occasioned by the attacks of *ruffians*, any more than for *hostile* violence, or unavoidable *misfortune*; but the great maxims of policy and good government make it necessary to *except* from this rule the case of *robbery*, lest confederacies should be formed between carriers and desperate villains with little or no chance of detection.

Although the *Act of God*, which the ancients too called *Θεῶν ἔργον* and *Vim divinam*, be an expression, which long habit has rendered familiar to us, yet perhaps, on that very account, it might be more proper, as well as more decent, to substitute in its place *inevitable accident*: religion and reason, which can never be at variance without certain injury to one of them, assure us, that “not a gust of wind blows, nor a flash of lightning gleams, without the knowledge and guidance of a superintending mind;” but this doctrine loses its dignity and sublimity by a technical application of it, which may in some instances border even upon profaneness; and law, which is merely a practical science, cannot use terms too popular and perspicuous.

In a recent case of an action against a carrier, it was holden to be no excuse, “that the ship was tight, when the goods were placed on board, but that a rat, by gnawing out the oakum, had made a small hole, through which the water had gushed †;” but the true reason of this decision is not mentioned by the reporter: it was in fact *at least ordinary* negligence, to let a rat do such mischief in the vessel; and the

* Law of *Nisi Prius*, 70, 71.

† 1 Wils. part 1. 281. Dale and Hall.

Roman law has, on this principle, decided, that, “*fi fullo vestimenta
“ polienda acceperit, eaque mures roserint, ex locato tenetur, quia debuit
“ ab hac re cavere *.*”

Whatever doubt there may be, among civilians and common-lawyers, in regard to a *casket*, the contents of which are concealed from the DEPOSITARY †, it seems to be generally understood, that a common carrier is answerable for the loss of a box or parcel, be he ever so ignorant of its contents, or be those contents ever so valuable, unless he make a special acceptance ‡: but gross fraud and imposition by the bailor will deprive him of his action, and if there be proof, that the parties were apprized of each other's intentions, although there was no personal communication, the bailee may be considered as a special acceptor: this was adjudged in a very modern case particularly circumstanced, in which the former cases in *Ventris*, *Alleyne*, and *Carthew*, are examined with liberality and wisdom; but, in all of them, too great stress is laid on the reward, and too little on the important motives of publick utility, which alone distinguish a carrier from other bailees for hire §.

Though no substantial difference is assignable between carriage by land and carriage by water, or, in other words, between a waggon and a barge, yet it soon became necessary for the courts to declare, as they did in the reign of JAMES I., that a common boyman, like a common waggoner, is responsible for goods committed to his custody, even if he be robbed of them ||; but the reason said to have been given for this judgment, namely, because he had his hire, is not the true one; since, as we have before suggested, the recompense could only make him liable for

* D. 19. 2. 13. 6.

† Before, p. 621, 622, 623.

‡ 1 Stra. 145. *Titchburn* and *White*.

§ Burr. 2298. *Gibbon* and *Paynton*. See 1 Vent. 238. All. 93. Carth. 485.

|| Hob. ca. 30. 2 Cro. 330. *Rich* and *Kneeland*. “The first case of the kind, said lord Holt, to be found in our books.” 12 Mod. 480.

temerity and *imprudence*, as if a bargemaster were rashly to shoot a bridge, *when the bent of the weather is tempestuous*; but not for a *mere casualty*, as if a hoy in good condition, shooting a bridge *at a proper time*, were driven against a pier by a sudden breeze, and overfet by the violence of the shock *; nor, by parity of reason, for any other force too great to be resisted †: the *publick* employment of the *hoyman*, and that *distrust*, which an ancient writer justly calls the *sinew of wisdom*, are the real grounds of the law's rigour in making such a person responsible for a loss by *robbery*.

All, that has just been advanced concerning a *land-carrier*, may, therefore, be applied to a *bargemaster* or *boatman*; but, in case of a tempest, it may sometimes happen, that the law of *jetson* and *average* may occasion a difference. *Barcroft's* case, as it is cited by chief justice ROLLE, has some appearance of hardship: "a box of *jewels* had been delivered to a ferryman, *who knew not what it contained*, and, a sudden storm arising in the passage, he threw the box into the sea; yet it was resolved, *that he should answer for it* ‡:" now I cannot help suspecting, that there was proof in this case of *culpable negligence*, and probably the casket was both *small* and *light* enough, to have been kept longer on board than other goods; for, in the case of *Gravesend* barge, cited on the bench by lord COKE, it appears, that the pack, which was thrown overboard in a tempest, and for which the bargeman was holden *not answerable*, was of great value *and great weight*; although this last circumstance be omitted by ROLLE, who says only, that the master of the vessel had *no information of its contents* ||.

* 1 Stra. 128. *Amies and Stevens*.

† Palm. 548. W. Jo. 159. See the doctrine of *inevitable accident* most learnedly discussed in *Defid. Heraldi* Animadv. in *Salmafii* Observ. in *Jus Att. et Rom.* cap. xv.

‡ All. 93.

|| 2 Bulstr. 280. 2 Ro Abr. 567.

The subtilty of the human mind, in finding distinctions, has no bounds; and it was imagined by some, that, whatever might be the obligation of a *barge-master*, there was no reason to be equally rigorous in regard to the master of a *ship*; who, if he carry goods for *profit*, must indubitably answer for the *ordinary neglect* of himself or his mariners, but ought not, they said, to be chargeable for the violence of *robbers*: it was, however, otherwise decided in the great case of *Mors and Slew*, where “eleven persons armed came on board the ship *in the river*, “under pretence of *impressing seamen*, and forcibly took the chests, “which the defendant had engaged to carry;” and, though the master was entirely blameless, yet sir MATTHEW HALE and his brethren, having heard both civilians and common-lawyers, and, among them, Mr. HOLT for the plaintiff, determined, on the principles just before established, that the bailor ought to recover*. This case was frequently mentioned afterwards by lord HOLT, who said, that “the declaration “was drawn by the greatest pleader in *England* of his time†.”

Still farther: since neither the *element*, on which goods are carried, nor the *magnitude* and *form* of the carriage, make any difference in the responsibility of the bailee, one would hardly have conceived, that a diversity could have been taken between a *letter* and any other thing. Our *common law*, indeed, was acquainted with no such diversity; and a *private* post-master was precisely in the situation of another carrier; but the statute of CHARLES II. having established a *general* post-office, and taken away the liberty of sending letters by a *private* post‡, it was thought, that an alteration was made in the obligation of the post-master *general*; and, in the case of *Lane and Cotton*, three judges determined, against the fixed and well-supported opinion of chief justice HOLT, “that the post-master was *not* answerable for the loss of a letter with

* 1 Ventr. 190. 238. Raym. 220.

† Ld. Raym. 920.

‡ 12 Cha. II. ch. 35. See the subsequent statutes.

“exchequer-

“exchequer-bills in it *:” now this was a case of *ordinary* neglect, for the bills were *stolen* out of the plaintiff’s letter in the defendant’s office†; and, as the master has a great *salary* for the discharge of his trust; as he ought clearly to answer for the acts of his clerks and agents; as the statute, professedly enacted for *safety* as well as *dispatch*, could not have been intended to deprive the subject of any benefit, which he before enjoyed; for these reasons, and for many others, I believe that CICERO would have said, what he wrote on a similar occasion to TREBATIUS, “Ego tamen SCÆVOLÆ assentior‡.” It would, perhaps, have been different *under the statute*, if the post had been *robbed*, either by day or by *night*, when there is a necessity of travelling, but even that question would have been disputable; and here I may conclude this division of my essay, with observing, in the plain but emphatical language of St. GERMAN, “that all the *former* diversities be granted by secondary conclusions derived upon the law of reason, *without any statute made in that behalf*; and, peradventure, laws and the conclusions therein be the more plain and the more open; for *if any statute were made therein*, I think verily, more doubts and questions would arise *upon the statute*, than doth now, when they be only argued and judged after the *common law* ||.”

Before I finish the *historical* part of my essay, in which I undertook to demonstrate, “that a perfect harmony subsisted on this interesting branch of jurisprudence in the codes of nations *most eminent for legal*

* Carth. 487. 12 Mod. 482.

† In addition to the authorities, before cited, p. 626. note (*), for the distinction between a loss by *stealth* and by *robbery*, see Dumoulin, tract. *De eo quod interest*, note 184. and ROSELLA CASUUM, 28. b. This last is the book, which St. German improperly calls *Summa Rosella*, and by misquoting which he misled me in the passage concerning *the fall of a house*, p. 643. The words of the author, *Trovamala*, are these: “Domus tua *minabatur ruinam*; domus corruit, et interficit equum tibi *commodatum*; certè non potest dici casus fortuitus; quia *diligentissimus* reparasset domum, vel ibi non habitasset; si autem domus *non minabatur ruinam*, sed *impetu tempestatis* validæ corruit, non est tibi imputandum.”

‡ Epist. ad Fam. VII. 22.

|| Doct. and Stud. dial. 2. chap. 38. last sentence.

“wisdom,”

“*wisdom**,” I cannot forbear adding a few remarks on the institutions of those nations, who are generally called *barbarous*, and who seem in many instances to have deserved that epithet: although traces of sound reasoning and solid judgement appear in most of their ordinances.

By the ancient laws of the *WISIGOTHS*, which are indeed rather obscure, the “keeper of a horse or an ox for *hire*, as well as a *hirer* for *use*, was obliged, if the animal *perished*, to return another of equal *worth*,” the law of the *Baiuvarians* on this head is nearly in the same words; and the rule is adopted with little alteration in the capitularies of *CHARLEMAGNE* and *LEWIS the Pious*†, where the *Mosaick* law before cited concerning a *borrower* may also be found‡. In all these codes a *depository* of gold, silver, or valuable trinkets, is made chargeable, if they are destroyed by *fire*, and *his own* goods perish *not* with them; a circumstance, which some other legislators have considered as *conclusive* evidence of gross neglect or fraud: thus, by the old *British* tract, called the book of *CYNAWG*, a person, who had been *robbed* of a deposit, was allowed to clear himself by making oath, with compurgators, that he had no concern in the robbery, *unless he had saved his own goods*; and it was the same, I believe, among the *Britons* in the case of a loss by *fire*, which happened without the fault of the bailee; although *HOWEL the Good* seems to have been rigorous in this case, for the sake of publick security||. There was one regulation in the *northern* code, which I have not seen in that of any other nation: if precious things were deposited and *stolen*, time was given to search for the thief, and, if he could not be found within the time limited, a *moiety* of the value was

* P. 602.

† Lindenbrog, LL. *Wifigoth*. lib. 5. tit. 5. § 1, 2, 3. and LL. *Baiuvar*. tit. 14. § 1, 2, 3, 4. *Capitul*. lib. 5. § 204.

‡ *Capitul*. lib. 6. § 22. Exod. xxii. 14, 15.

|| LL. *Hywel Dda*, lib. 3. cap. 4. § 22. and lib. 3. cap. 3. § 40. See also *Stiernb*. De Jur. Sveon. p. 256, 257.

to be paid by the depositary to the owner, "ut damnum ex medio
"uterque sustineret*."

Now I can scarce persuade myself, that the phrase used in these laws, *si id perierit*, extends to a perishing by *inevitable accident*; nor can I think, that the old *Gothick* law, cited by STIERNHOOK, fully proves his assertion, that "a depositary was responsible for *irresistible force*;" but I observe, that the military law-givers of the north, who entertained very high notions of good faith and honour, were more strict than the *Romans* in the duties, by which depositaries and other trustees were bound: an exact conformity could hardly be expected between the ordinances of polished states, and those of a people, who could suffer disputes concerning bailments to be decided by *combat*; for it was the Emperor FREDERICK II., who abolished the trial by battle in cases of contested deposits, and substituted a more rational mode of proof†.

I purposely reserved to the last the mention of the HINDU, or *Indian*, code, which the learning and industry of my much-esteemed friend Mr. HALHED has made accessible to *Europeans*, and the PERSIAN translation of which I have had the pleasure of seeing: these laws, which must *in all times* be a singular object of curiosity, are *now* of infinite importance; since the happiness of millions, whom a series of amazing events has subjected to a *British* power, depends on a strict observance of them.

It is pleasing to remark the similarity, or rather identity, of those conclusions, which pure unbiassed reason in all ages and nations seldom fails to draw, in such juridical inquiries as are not fettered and manacled by *positive* institution; and, although the rules of the *Pundits* concerning *succession* to property, the *punishment* of offences, and the ceremonies of

* LL. *Wifigoth*, lib. 5. tit. 5. § 3.

† LL. *Longobard*, lib. 2. tit. 55. § 35. *Constit. Neapol.* lib. 2. tit. 34.

religion, are widely different from ours, yet, in the great system of *contracts* and the common intercourse between man and man, the *POOTEE* of the *Indians* and the *DIGEST* of the *Romans* are by no means dissimilar*.

Thus, it is ordained by the sages of *Hindustán*, that “a depositor
“shall carefully inquire into the character of his intended depositary;
“who, if he undertake to keep the goods, shall preserve them with *care*
“and *attention*; but shall not be bound to restore the value of them, if
“they be *spoiled by unforeseen accident*, or *burned*, or *stolen*; UNLESS he
“conceal any part of them, that has been saved, or unless *his own effects*
“be secured, or unless the accident happen after his *refusal* to redeliver
“the goods on a demand made by the depositor, or while the deposi-
“tary, against the nature of the trust, presumes to *make use* of them:”
in other words, “the bailee is made answerable for *fraud*, or for *such*
“*negligence* as approaches to it†.”

So, a *borrower* is declared to be chargeable even for *casualty* or *violence*, if he fail to return the thing after the completion of the business, for which he borrowed it; but not, if it be *accidentally* lost or *forcibly* seized, before the expiration of the time, or the conclusion of the affair, for which it was lent‡: in another place, it is provided, that, if a *pledge* be damaged or lost by *unforeseen accident*, the creditor shall nevertheless recover his debt with interest, but the debtor shall not be entitled to the value of his pawn||; and that, if the pledgee *use* the thing pledged, he shall pay the value of it to the pledgor in case of its loss or damage, whilst he uses it§.

* “Hæc omnia, says GROTIUS, *Romanis* quidem congruunt legibus, sed non ex illis primitus, sed “*ex æquitate naturali*, veniunt: quare eadem apud alias quoque gentes reperire est.” De Jure Belli ac Pacis, lib. 2. cap. 12. § 13.

† *Gentoo* Laws, chap. IV. See before, p. 628.

|| Chap. I. Sect. I. Before, p. 655, 656.

‡ Same chapter. See before, p. 643.

§ Chap. I. Sect. II. Before, p. 652.

In the same manner, if a person *hire* a thing *for use*, or if any *metal* be delivered to a *workman*, for the purpose of making vessels or ornaments, the bailees are holden to be discharged, if the thing bailed be destroyed or spoiled by *natural* misfortune or the injustice of the *ruling power*, UNLESS it be kept *after the time* limited for the return of the goods, or the performance of the work*.

All these provisions are consonant to the principles established in this essay; and I cannot help thinking, that a clear and concise treatise, written in the *Persian* or *Arabian* language, on the law of *Contracts*, and evincing the general conformity between the *Asiatick* and *European* systems, would contribute, as much as any regulation whatever, to bring our *English* law into good odour among those, whose fate it is to be under our dominion, and whose happiness ought to be a serious and continual object of our care.

Thus have I proved, agreeably to my undertaking, that *the plain elements of natural law*, on the subject of BAILMENTS, *which have been traced by a short analysis*, are recognised and confirmed by the wisdom of nations†; and I hasten to the third, or *synthetical*, part of my work, in which, from the nature of it, most of the *definitions* and *rules*, already given, must be repeated with little variation in *form*, and none in *substance*: it was at first my design, to subjoin, with a few alterations, the *Synopsis* of DELRIO; but finding, that, as BYNKERSHOEK expresses himself with an honest pride, *I had leisure sometimes to write, but never to copy*, and thinking it unjust to embellish any production of mine with the inventions of another, I changed my plan; and shall barely recapitulate the doctrine expounded in the preceding pages, observing the method, which logicians call *Synthesis*, and in which all sciences ought to be explained.

* Chap. IV. and Chap. X. Before, p. 657. 659.

† Before, p. 597. and 602.

I. To begin then with definitions: 1. BAILMENT is a delivery of goods in trust, on a contract expressed or implied, that the trust shall be duly executed, and the goods redelivered, as soon as the time or use, for which they were bailed, shall have elapsed or be performed.

2. DEPOSIT is a bailment of goods to be kept for the bailor without a recompense.

3. MANDATE is a bailment of goods, without reward, to be carried from place to place, or to have some act performed about them.

4. LENDING FOR USE is a bailment of a thing for a certain time to be used by the borrower without paying for it.

5. PLEDGING is a bailment of goods by a debtor to his creditor to be kept till the debt be discharged.

6. LETTING TO HIRE is 1. a bailment of A THING to be used by the hirer for a compensation in money; or, 2. a letting out of WORK and LABOUR to be done, or CARE and ATTENTION to be bestowed, by the bailee on the goods bailed, and that for a pecuniary recompense; or, 3. of CARE and PAINS in carrying the things delivered from one place to another for a stipulated or implied reward.

7. INNOMINATE BAILMENTS are those, where the compensation for the use of a thing, or for labour and attention, is not pecuniary, but either 1. the reciprocal use or the gift of some other thing; or, 2. work and pains, reciprocally undertaken; or, 3. the use or gift of another thing in consideration of care and labour, and conversely.

8. ORDINARY neglect is the omission of that care, which every man of common prudence, and capable of governing a family, takes of his own concerns.

9. GROSS

9. *GROSS neglect* is the *want* of that care, which *every man of common sense, how inattentive soever*, takes of *his own* property.

10. *SLIGHT neglect* is the *omission* of that *diligence*, which *very circumspect and thoughtful persons* use in securing *their own* goods and chattels.

11. A *NAKED CONTRACT* is a contract made without *consideration* or *recompense*.

II. The *rules*, which may be considered as *axioms* flowing from natural reason, good morals, and found policy, are these :

1. A bailee, who derives *no benefit* from his undertaking, is responsible only for *GROSS neglect*.

2. A bailee, who *alone* receives *benefit* from the bailment, is responsible for *SLIGHT neglect*.

3. When the bailment is *beneficial* to *both* parties, the bailee must answer for *ORDINARY neglect*.

4. A *SPECIAL AGREEMENT* of any bailee to answer for *more* or *less*, is in general valid.

5. *ALL* bailees are answerable for actual *FRAUD*, even *though the contrary be stipulated*.

6. No bailee shall be charged for a loss by *inevitable ACCIDENT* or *irresistible FORCE*, except by *special agreement*.

7. *ROBBERY* by *force* is considered as *irresistible*; but a loss by *private STEALTH* is *presumptive* evidence of *ordinary neglect*.

8. *GROSS*

8. GROSS neglect is *a violation of good faith*.
9. No ACTION lies to compel performance of a *naked contract*.
10. A reparation may be obtained by suit for every DAMAGE occasioned by an INJURY.
11. The negligence of a SERVANT, acting by *his master's express or implied order*, is the negligence of the MASTER.

III. From these *rules* the following *propositions* are evidently deducible:

1. A DEPOSITARY is responsible only for GROSS neglect; or, in other words, for *a violation of good faith*.
2. A DEPOSITARY, whose character is known to his depositor, shall not answer for *mere neglect*, if he take *no better care of his own goods*, and *they also* be spoiled or destroyed.
3. A MANDATARY *to carry* is responsible only for GROSS neglect, or *a breach of good faith*.
4. A MANDATARY *to perform a work* is bound to use *a degree of diligence adequate to the performance of it*.
5. A man cannot be compelled by ACTION to perform his promise of engaging in a DEPOSIT or a MANDATE.
6. A reparation may be obtained by suit for DAMAGE occasioned by the *nonperformance* of a promise to become a DEPOSITARY or a MANDATARY.

7. A BORROWER

7. A BORROWER FOR USE is responsible for SLIGHT negligence.
8. A PAWNEE is answerable for ORDINARY neglect.
9. The HIRER of a THING is answerable for ORDINARY neglect.
10. A WORKMAN for HIRE must answer for ORDINARY neglect of the goods bailed, and apply a *degree of SKILL equal to his undertaking*.
11. A LETTER to HIRE of his CARE and ATTENTION is responsible for ORDINARY negligence.
12. A CARRIER for HIRE, by *land* or by *water*, is answerable for ORDINARY neglect.

IV. To these *rules* and *propositions* there are some *exceptions*:

1. A man, who *spontaneously* and *officiously* engages to *keep*, or to *carry*, the goods of another, though *without reward*, must answer for SLIGHT neglect.
2. If a man, through *strong persuasion* and with *reluctance*, undertake the execution of a MANDATE, no more can be required of him than a *fair exertion of his ability*.
3. ALL bailees become responsible for losses by CASUALTY or VIOLENCE, *after* their *refusal* to return the things bailed on a LAWFUL DEMAND.
4. A BORROWER and a HIRER are answerable in ALL EVENTS, if they *keep* the things borrowed or hired *after the stipulated time*, or use them *differently* from their agreement.

5. A DEPOSITARY

5. A DEPOSITARY and a PAWNEE are answerable in ALL EVENTS, if they *use* the things deposited or pawned.

6. An INNKEEPER is chargeable for the goods of his guest *within his inn*, if the guest be *robbed* by the *servants* or *inmates* of the keeper.

7. A COMMON CARRIER, by *land* or by *water*, must indemnify the owner of the goods carried, if he be *ROBBED* of them.

V. It is *no* exception, but a *corollary*, from the *rules*, that “every bailee is responsible for a loss by ACCIDENT or FORCE, however *inevitable* or *irresistible*, if it be *occasioned* by that *degree of negligence*, for which the nature of his contract makes him generally answerable;” and I may here conclude my discussion of this important title in jurisprudence with a general and obvious *remark*; that “all the preceding rules and propositions may be diversified to *infinity* by the *circumstances* of every particular case;” on which circumstances it is on the *continent* the province of a *judge* appointed by the sovereign, and in ENGLAND, to our constant honour and happiness, of a *jury* freely chosen by the parties, *finally* to decide: thus, when a painted *cartoon*, pasted on canvas, had been *deposited*, and the bailee kept it so near a damp wall, that it peeled and was much injured, the question “whether the depositary had been guilty of GROSS neglect,” was properly left to the jury, and, on a verdict for the plaintiff with pretty large damages, the court refused to grant a new trial*; but it was the judge, who determined, that the defendant was by *law* responsible for *gross negligence only*; and, if it had been proved, that the bailee had kept *his own pictures of the same sort* in the same place and manner, and that *they too* had been spoiled, a new trial would, I con-

* 2 Stra. 1099. *Myrton and Cock*.

ceive, have been granted; and so, if no more than SLIGHT neglect had been committed, and the jury had, nevertheless, taken upon themselves to decide against law, that a bailee *without reward* was responsible for it.

Should the *method* used in this little tract be approved, I may possibly not want inclination, if I do not want leisure, to discuss in the same form *every* branch of *English* law, *civil* and *criminal*, *private* and *public*; after which it will be easy to separate and mould into distinct works, the three principal divisions, or the *analytical*, the *historical*, and the *synthetical*, parts.

The great system of jurisprudence, like that of the Universe, consists of many subordinate systems, all of which are connected by nice links and beautiful dependencies; and each of them, as I have fully persuaded myself, is reducible to a few plain *elements*, either the wise *maxims* of national policy and general convenience, or the *positive* rules of our forefathers, which are seldom deficient in wisdom or utility: if LAW be a *science*, and really deserve so sublime a name, it must be founded on principle, and claim an exalted rank in the empire of *reason*; but, if it be *merely* an unconnected series of decrees and ordinances, its use may remain, though its dignity be lessened, and He will become the greatest lawyer, who has the strongest habitual, or artificial, *memory*. In practice, law certainly employs *two* of the mental faculties; *reason*, in the primary investigation and decision of points *entirely new*; and *memory*, in transmitting to us the reason of sage and learned men, to which our own ought invariably to yield, if not from a becoming modesty, at least from a just attention to that object, for which all laws are framed, and all societies instituted, THE GOOD OF MANKIND.

ADVER-

ADVERTISEMENT.

AFTER I had finished the preceding tract, to the satisfaction of several friends, but not to my own, I was informed, that the learned CHRISTIAN THOMASIVS had published a dissertation on the same subject with the following title: *De Ufu Practico Doctrinæ difficillimæ Juris Romani de Culparum Præstatione in Contractibus*; HALÆ, MDCCV. The fame of the author, and the high applause, which the very sensible *Bynkershoek* bestows on him, impressed me with a most favourable idea of his work, and with a strong desire to procure it; but, to my extreme disappointment, I cannot find it in any library, publick or private, in the Metropolis or in either of our Universities: I have sent for it, however, to *Germany*, and, when I receive it, shall take a sincere pleasure, either in correcting such errors, as it may enable me to detect in my essay, or in confirming the system, which I have adopted, by so respectable an authority.

THE

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AN INQUIRY
INTO
THE LEGAL MODE
OF
SUPPRESSING RIOTS,
WITH
A CONSTITUTIONAL PLAN
OF
FUTURE DEFENCE.

Res videas quo modo se habeant : orbem terrarum, imperiis distributis, ardere bello ;
urbem sine legibus, sine judiciis, sine jure, sine fide, relictam direptioni et incendiis.

C I C. Epist. ad Fam. 4. 1.

AN INQUIRY

1870

THE LEGAL MODE

OF

SUPPRESSING RIOTS

WITH

A COMMENTARY THEREON



AN INQUIRY
INTO
THE LEGAL MODE
OF
SUPPRESSING RIOTS.

IT has long been my opinion, that, in times of national adversity, those citizens are entitled to the highest praise, who, by personal exertions and active valour, promote at their private hazard the general welfare; that the second rank in the scale of honour is due to those, who, in the great council of the nation, or in other assemblies legally convened, propose and enforce with manly eloquence what they conceive to be salutary or expedient on the occasion; and that the third place remains for those persons, who, when they have neither a necessity to act, nor a fair opportunity to speak, impart in writing to their countrymen such opinions as their reason approves, and such knowledge as their painful researches have enabled them to acquire.

With these restrictions, the sword, the tongue, and the pen, which have too often been employed by the worst passions to the worst purposes, may become the instruments of exalted virtue; instruments, which it is not the right only, but the duty, of every man to use,
who

who can use them ; paying always a sacred regard to the laws of that country, which he undertakes to defend, to advise, or to enlighten.

A sense of this duty and a consciousness of this right have impelled me, with no views, as it will be readily believed, of ambition or interest, much less from any factious motive, to take up that instrument, which I have stated as the least honourable of the three, and to present the publick with a few considerations on a subject no less interesting at the present hour than important to all future ages.

Having unhappily been a vigilant and indignant spectator of the late abominable enormities ; having seen the senate besieged, and the senators insulted ; the laws of our country defied, and the law of nations violated ; having beheld the houses of our truest patriots and most respectable magistrates either destroyed, assailed, or menaced ; having passed a whole night encircled by the blazing habitations of unoffending individuals, and by the flames of those edifices which publick justice had allotted to various classes of offenders ; having lamented over a great metropolis exposed for many days to the fury of a licentious rabble ; having believed the noblest commercial City in the world to be in danger of a second conflagration ; having in vain sought access to the courts at Westminster in full term, and to the houses of parliament in full session ; having, in a word, been witness to horrors, all the concurrent causes of which are not easy to be known, and all the consequences of which are less easy to be predicted ; I could not but see at length, with a mixed sensation, between anguish and joy, the vigorous and triumphant exertions of the executive power ; and I admitted the necessity of those exertions, whilst I deplored it.

Every

Every well-disposed man, and lover of tranquillity, must have rejoiced, that, on the ninth of June, the peaceable and terrified inhabitants of this noble Capital might enjoy repose ; that the valuable effects, which many had removed, and some had even buried, might be replaced ; that the artisan might resume his implements, and the student, his books ; that justice had reascended her seat ; and that order was succeeding to confusion, harmony to discord ; but every honest man, and lover of his country, must have grieved, that a whole week was then before us, in which the necessary adjournment of the Commons, who would otherwise have been deliberating on the state of the metropolis and the kingdom, had left us under a power, which, whatever it might be in form and in effect, was in truth and substance, dictatorial.

In this awful interval a question occurred to me, which must naturally have presented itself to many others : “ Whether the still-substisting “ laws and genuine constitution of ENGLAND had not armed the *civil* “ *state* with a power sufficient, if it had been previously understood and “ prepared, to have suppressed ever so formidable a riot without the intervention of the *military*.”

If no such power legally existed in the state, our system, I thought, must be defective in a most essential point ; since no people can be really and substantially free, whose freedom is so *precarious*, in the true sense of the word, as to depend on the protection of the soldiery ; and even our protectors, who for several days possibly could not, but certainly did not, act at all, might have been necessarily called away, in the most dangerous moment, to defend our coasts and maritime towns : if, on the other hand, such a power of self-protection did exist, our laws, I concluded, must have been disgracefully neglected, and ought to be restored to full vigour and energy.

A very short inquiry enabled me to answer the question, at least to my own satisfaction, *in the affirmative*; and it is the result of this inquiry, which I now request the public to accept with the indulgence due to an occasional production, and with the attention due to a subject of general importance.

This then is the proposition, which I undertake to demonstrate:
 "That the common, and statute, laws of the realm, in force at this
 "day, give the *civil* state in every county a power, which, if it were
 "perfectly understood and continually prepared, would effectually quell
 "any riot or insurrection, without assistance from the *military*, and
 "even without the modern riot-act."

To this proposition I shall strictly, and, as far as I am able, logically confine myself; avoiding all parade of legal or antiquarian learning, and omitting all such disquisitions as might answer the purpose of ostentation, which I disdain, but not of utility, which alone I seek: should the curious and intelligent reader be desirous of investigating the powers of magistrates and of courts in recording riots and punishing rioters, and of tracing the history of our ancient and modern laws for the preservation of public tranquillity, from that of king INA to that of GEORGE the First, he will receive ample information from the various books of authority, which I shall have occasion to cite in the course of my argument.

It is in every one's mouth, that, on all violent breaches of the peace, the sheriff of the county is not only authorized but commanded to raise the *Posse Comitatus*, and forcibly to suppress the tumult; but, if most of those, who use this expression, will examine their own minds, they will presently perceive, that they utter words, which convey to them no distinct idea, and that the *power of the county*, like many other
powers

powers in nature and jurisprudence, is very ill ascertained, and very imperfectly comprehended. Logicians give us an admirable rule, “*that we should seek after a clear, precise and complete conception of things, as they really exist in their own nature and in all their parts, and should not always imagine that there are ideas, because there are words**.” let us apply this rule to the case before us, and endeavour to form a luminous, fixed, comprehensive notion of the *power* in question; without supposing that we comprehend it, merely because we know, that, besides its *Latin* name, it is called in Norman French, *Poiar del Countee*, and sometimes, *Aide del pais*†.

We cannot begin our investigation under a more certain or more respectable guide, than Chief Justice FINEUX, whose words I shall transcribe from that most venerable repository of genuine *English* wisdom, the Year books‡: “At the beginning,” says that learned judge, “all the administration of justice was in one hand, namely, in the Crown; then, after the multiplication of the people, that administration was distributed into counties, and the *power* was committed to a deputy in each county, namely, the Viscount, or Sheriff; who was the King’s deputy to preserve the peace; and thus it is, that all people must, in obedience to him, be *ready* in defence of the realm, when enemies come: thus too was he assigned to be a conservator of the peace, to punish malefactors, to defend the realm when enemies invade it, to be attendant on the King in war-time, and to cause all people in his county to go with the King to defend the land against enemies.”

Who the people are, that the laws of England required, and still require, to be *ready* and obedient to the sheriff on all occasions of publick disturbance, we learn from the judicious antiquary, LAMBARD, who

* Watts, part I. chap. vi.

† Crompt. 124.

‡ 12 Hen. VII. 17.

cites

cites and adopts the opinion of Mr. *Marrow* delivered in a work, which I suppose to have been a reading on the statute 13 Hen. IV. His opinion was, "that the justices of the peace, sheriff or under sheriff, ought
 "to have the aid and assistance of all knights, gentlemen, yeomen,
 "labourers, servants, apprentices, and likewise of wards, and of other
 "young men above the age of fifteen years; because all of that age are
 "bound to have *harness*, or armour, by the statute of Winchester*.

What effect the subsequent repeal of the statutes of armour might have on the reason assigned by Mr. *Marrow* for his opinion, it is needless to inquire; for it seems obvious, that the statutes of JAMES I. removed the *necessity* only, and not the *propriety*, of having arms, or, to use the very words of the old act, *armure pur la pees garder*; and the doctrine in *Lambard* is generally understood to be law†. The passage above-cited appears, however, to have misled the great commentator on the Laws of England, who seems to have collected from it, that none were bound to obey the summons of the sheriff, but persons *under the degree of nobility*‡; whereas the patent of assistance, cited by *Dalton*||, commands barons, earls, and dukes, to be *auxiliantes et respondentes* to the sheriff in all things belonging to his office.

The power of the county, therefore, includes the whole *civil* state, from the duke to the peasant; while the *military* state, *as such*, forms no part of that power, being under a different command, and subject to a different law; but, as every soldier in England is at the same time a citizen, he is authorized and perhaps bound, when under no particular orders or at no particular station, to exert himself, like any other good subject, in the suppression of tumults, the prevention of felony, and the apprehension of the rioters or felons. This I mean: when the

* Lamb. Eiren. 316.

† Dalt. c. 95.

‡ 1 Comm. 344. 4 Comm. 122.

|| C. 1.

foldiery,

soldiery, not being upon military duty, happen to be present at a riot, and in their civil capacity forcibly suppress it, their act is not only legal but laudable; and the colour of their clothes, or the nature of their arms, make no kind of difference; but, when they are *in truth* called out by the executive magistrate, and are *in fact* no more than instruments in the hands of their commanders, their acts can only be justified by that NECESSITY which always *defends what it compels*, which for the time supercedes all positive law, but of the real existence of which their country must afterwards judge, unless the legislature should, in their wisdom, be pleased to declare it. For this distinction I can produce no written authority; but it seems consonant to reason as well as truth.

This power of the county, of which we may now begin to form a distinct idea, is mentioned, as well known and well understood, in a variety of statutes, which were confirmatory of the common law; and some parts of which I shall cite in the original languages, how barbarous or inelegant soever they may appear to a classical eye.

The stat. Westm. 1. c. 17. ordains “*qe le viscounte ou le bailiff, prise ove luy poyer de son countee, ou de sa baille, voit essayer de faire le plevin des averes a celuy qe prit les averes.*” And that of Westm. 2. c. 39. is more peremptory in cases of resistance to the execution of civil process: “*Multoties etiam dant responsum, quod non potuerunt prosequi præceptum regis propter resistantiam potestatis alicujus magnatis, de quo caveant vicecomites de cætero, quia hujusmodi responsio multum redundat in dedecus domini regis; et, quam citò ballivi sui testificantur, quòd invenerunt hujusmodi resistantiam, statim omnibus omiſſis, assumpto secum posse comitatûs sui, eant in propriâ personâ ad faciendam executionem.*” By the 17 Rich. II. c. 8. it is enacted, that, in case of any tumult or disorder, “*a plus tost*”
“*qe*”

“ qe viscontz et autres ministres le roi poent ent avoir conissance, ove
 “ *la force del countee et pais*, ou tiel cas aviegne, ilz mettent destour-
 “ bance encontre tiel malice *ove tout leur poair*, et preignent tielx
 “ mesfours, et les mettent en prisone tanqe due execution de leie soit
 “ fait de eux, et qe touz seignurs et autres liges du roialme soient
 “ entendantz et aidantz, *de tout leur force et poair*, as viscontz et mi-
 “ nistres avant ditz.”

Again: by the 13 Hen. IV. c. 7. “ Ordeignez est et establiz, qe, si
 “ aucun riot assemblee ou rout des gentz encontre la loie se face en
 “ aucune partie del roialme, les justices de paix, trois ou deux de eux a
 “ meyns, et le viscont ou south viscont del countee, ou tiel riot assem-
 “ blee ou rout se ferra enapres, *veignent ove le poair del countee*, si be-
 “ soigne ferra, pur eux arester, et eux arestent.” In the construction
 of this last statute it has been holden*, that, although it speak of *three*
 or *two* justices at least, yet *one* justice may raise the power and suppress
 a riot; for *it is a beneficial law*, said FINEUX, *and was enacted for the*
prevention of mischief, which might ensue, if a justice were to wait for others.
 It has also been adjudged, that, under the word *ministers*, in the stat. 17
 Rich. II. c. 8. justices of peace are comprised †; and so are *constables*, by
 the opinion of *Fitzherbert* cited by *Crompton*, and confirmed by the Year
 book 1 Hen. VII. 10; where it is laid down, that “ *constabularii villarū*
 “ *super affraiam possunt levare populum.*”

We may therefore conclude, that, in all cases of tumult and insur-
 rection, the sheriff, or other *minister*, may and ought to make *proclama-*
tion, commanding all such persons, as constitute the power of the
 county, to assemble and assist him ‡; or he may send a particular
warning or *summons*, for the same purpose, to every individual of the

* 14 Hen. VII. 10. Crompt. 46. b.

† Crompt. 46. a.

‡ Dalt. c. 95.

posse,

posse, who must attend such summons under pain of a heavy fine and imprisonment; for, by the stat. 2 Hen. V. c. 8. it is provided, “*qe les lieges du roi esteantz sufficeantz pur travailler en le countee, ou tielx routes assemblez ou riotes sont, soient assistantz as justices, commisioners, viscont, et soutez-viscont, de mesme le countee, qant ilz ferront raisonablement garniz, pur chivacher, ove les ditz justices, commisioners, et viscont ou soutez-viscont en aide de resistance de tielx riotes routes et assemblez sur peine demprisonement et faire fyn et ranceon al roi:*” And the offence of neglecting to join the power of the county, after such reasonable warning, is ranked by Sir William Blackstone under the class of *contempts against the king's prerogative* *.

Having fixed our ideas concerning the nature of this legal power, the mode of raising it, and the punishment of a criminal neglect to join it, let us consider, first, by the help of reason only, what corollaries necessarily follow the doctrine, which we have expounded; and, next, inquire whether authority and reason, which lord Coke justly calls *the two faithful witnesses in matter of law* †, coincide on the question before us; as they indubitably will, unless either our previous ratiocination be illogical, or the minds of ancient and modern lawyers have taken a bent from the prejudices of their respective ages.

From the obligation of the sheriff, or other minister, to assemble the power of his county for the suppression of any rebellion, insurrection, riot, or affray, and for the repelling of invading enemies; from the duty incumbent on every man of sufficient years and strength to associate himself with the power so assembled, and from the principles of natural justice, which will neither *require men to do impossible things*, nor *refuse them the means of performing what they are commanded to perform*;

* 4 Comm. 122.

† 1 Inst. Pref.

from these obligations and these principles it instantaneously follows: First; That the sheriff or other peace-officer is bound to raise *such* a power as will effectually quell the tumult either really existing or justly feared.

Secondly; That the power so raised may and must be armed with such *weapons*, and act in such *order*, as shall enable them totally to suppress the riot or insurrection, or to repel the invaders.

Thirdly; That, in the use of such weapons, the power may justify the *charging*, *wounding*, or even *killing*, the rioters or insurgents, who persist in their outrages, and refuse to surrender themselves.

Fourthly; That the power of every county ought at all times, but especially in times of danger, to be *prepared* for attending the magistrate, and to know the *use* of such weapons, as are best adapted to the suppression of tumults.

Fifthly; That, since the *musket* and *bayonet* are found by experience to be the most effectual arms, all persons, who constitute the power of a county, are bound to be competently skilled in the use of them.

Sixthly; That, since the only safe and certain mode of using them with effect is by acting *in a body*, it is the duty of the whole civil state to know the platoon-exercise, and to learn it in companies.

As *no authority*, according to CHARRON, *can stand without reason*, so we find, by constant experience, that no reason can surmount the passions and prejudices of men without the aid of authority; and I am happy in believing, that both of them perfectly coincide in support of the foregoing propositions: first, therefore, I shall prove them by citing
cases,

cases, which have been solemnly adjudged, together with the opinions of learned lawyers, whose works are much respected in our courts of justice; and, next, I shall inquire, whether those cases and opinions have been over-ruled or shaken by any subsequent decisions, or acts of the legislature.

The earliest resolution upon the subject, that has occurred to me, was in a case, which the very learned and judicious *Brook* thought *worthy of note* * in his time, and which, in the present time, deserves peculiar attention. It is reported in *French* in the first page of the Year book 3 Hen. VII. and is manifestly the same with that afterwards abridged in an imperfect *Latin* note printed, out of its place, in the tenth page of the same book; although *Brook* seems to have considered them as different, or rather not to have observed their identity; for, in the title of his Abridgement just alluded to, he gives them in separate articles, without melting both parts of the Year book together, as I propose to do; by which means I shall extract the whole case and form one consistent state of it.

JOHN DEINS had been outlawed in the county of *Suffolk* for felony; and, having brought a writ of error to reverse the outlawry, had obtained a *Non Molestando*, which he delivered to the escheator, *John Lenthorp*; who, nevertheless, seized and took away his effects. Upon this, Deins replevied; and EDMUND BEDINGFIELD, the sheriff, issued his precept to Thomas Gire, his bailiff, *jurus et conus*, together with *Roger Hopton*, *Edmund Heningham*, and three other persons, directing them to take the goods of the plaintiff out of the escheator's possession: accordingly, the bailiff and his party took forcibly from *Lenthorp* an hundred sheep, which they delivered to *Deins*; and, in order to make delivery of the goods and cattle which remained, they assembled all the inhabitants of five adjacent villis; who, in number *three hundred*,

* Bro. Abr. tit. Office et Officer. 23.

*arrayed in a warlike manner, and armed with brigandines, jackets of mail, and GUNS, united and associated themselves, and marched ** to the place where the cattle were detained; but did not proceed to any other act of violence.

For this imagined breach of the peace, and military array, an indictment was preferred in the King's Bench against the plaintiff in replevin, the sheriff and his bailiff, and the persons who had assisted them; but the court unanimously adjudged, that the indictment was void; founding their judgement, as it seems, on the reasons advanced by serjeant *Keble*, whose argument it may be proper to state at large.

" As to the plaintiff in replevin, said he, no wrong was committed
 " by him; for the escheator, when he took the goods, after the *Non*
 " *Molestando* had been delivered to him, acted unlike an officer; since
 " it was his duty, in that instant, to surcease his process: *Deins*,
 " therefore, was perfectly justified in complaining to the sheriff, and
 " must consequently be discharged from this indictment.

" Nor did the sheriff transgress his duty in executing the replevin; for,
 " when the party came to him, he could not know, whether he was an
 " outlaw or not; or whether or no the escheator had seized the cattle in
 " the King's right; which ought to have been shown by the King's
 " officer. The bailiff too must be discharged; for the servant is in the
 " same condition with the master; and, as the sheriff cannot do every
 " thing himself, his deputy must have the same power with him.

" In regard to his assembling three hundred men, *that was no illegal*
 " *act*†; for every man is bound to assist the sheriff and his bailiff;
 " to support him in executing the King's writs; and to give him aid

* *Modo guerrino arraiati se univerunt et associaverunt, et iter suum arripuerunt.* 3 Hen. VII. 1. 10.

† *Ceo nest incontre la ley*: So *Brook* reports his words, *tit.* Riots, 2.

“ in all cases of need; *and this by common law and common reason,*
 “ notwithstanding the statutes of Westminster the first and second.
 “ So, if *any man* refuse to assist the sheriff at his *request*, he shall be
 “ fined, whether it be to execute process, or to apprehend felons.”

The Court agreed, that the bailiff had as good a right to raise the power as the sheriff himself; because it is all one office and one authority.

It was urged, “ that, if men assemble with arms and *do nothing*, it
 “ shall be intended, that they assembled with a bad design ;” but it was
 answered, that in some cases the presumption might be just ; in others,
 not : thus the use of armour on particular occasions, as on Midsummer
 eve in London, and at other times for sport, is not punishable ; and,
 here, the cause of the assembly appears, *namely to execute a replevin*. Even
 if they had acted, yet their assembly was lawful in the beginning ; and
 such assemblies are not illegal as are not *to the terror of the people of our*
lord the king ; which words ought to be in every indictment for an un-
 lawful assembly.

Another point was touched upon by the king’s serjeants : “ that the
 “ sheriff cannot take with him *so many* armed men, but only a *reasonable*
 “ party ;” to which it was answered, that, if he were so restrained, he
 might be in great jeopardy and peril of his life ; and for this reason, *he*
may take as many as he pleases at his own discretion.

Lastly, it was argued on the statute of Westm. 2. c. 39*, that the she-
 riff might raise the power of his county *after complaint made*, and *not be-*
fore ; but the judges held, that he might raise it before *by the common*
law.

* The statute of Marlbridge, c. 21. seems here to be meant ; the words *post querimoniam factam*
 not being used in stat. Westm. 2.

This case (which, for convenience in citation, I shall call *Bedingfield's Case*), is irresistibly strong in support of my *first* and *second* corollaries; for, although there seems to have been some doubt at first in the minds of the judges, as it was merely the execution of *civil process*, yet, if the armed men had marched in array for the purpose of *apprehending felons*, there would have been no debate on the legality of the act; and, after an argument at the bar, the former doubt was entirely removed.

The next is the case of a riot at *Drayton Bassett* in *Staffordshire*, determined in the Star-chamber in the twenty-fourth of Elizabeth, and cited more than once by *Crompton* *; who says that the court resolved, 1. That, if the two justices, nearest to the place where the riot is committed, do not act as they are required by stat. 13 Hen. IV. c. 17. each of them shall pay an *hundred* pounds; and the other justices of the same county, where the tumult was, shall be fined for not suppressing it, *if there was any default in them*. 2. That the sheriff and justices of peace may take as many men in armour as are necessary, WITH GUNS, and so forth, and *kill the rioters*, if they will not yield themselves; for the stat. 13 Hen. IV. c. 17. says, that they *MUST arrest them*; and, if the justices, or any of their company, kill any of the rioters, who will not surrender themselves, it is no offence in them.

This case of *Drayton Bassett*, which is also cited and approved by *Sir Matthew Hale* †, incontestably demonstrates my *third* corollary.

In the 34th or 43d of Elizabeth (for the date is differently reported by some transposition of the figures) the doctrine in *Bedingfield's case* was fully recognized and established by the decision in the case of *St. John* ‡, or *Gardener* ||; which, being subsequent to the stat. 33 Hen. VIII. c. 6. prohibiting the use of *hand-guns*, clearly shows, that no alteration in the ancient law was made by that prohibition.

* Crompt. 46. b. 124. b. † 1 H. P. C. 495. ‡ 5. Rep. 71. 72. || Cro. Eliz. 821, 822.

The case was this: *Gardener* had obtained a judgement against *St. John*, and procured a writ of execution directed to the sheriff of *Bedford*, who made a warrant to *Gardener's* own brother as a special bailiff; but, resistance being justly feared, the bailiff armed himself with a *dagge*, or short gun. It happened that *St. John* was a justice of peace for *Bedfordshire*, and seems to have had that *little learning*, which, in law rather more than in poetry, *is a dangerous thing*, especially when it is coupled with knavery; for, having notice how the bailiff was armed, he contrived to have him seized by his servants, and brought before himself as the *next* justice; when, by colour of his office and the statute of Hen. VIII. he committed the officer, who came to arrest him, until he should pay ten pounds, one moiety to the queen, and another to the informant. The bailiff having removed himself by *habeas corpus*, and the whole matter being disclosed to the court, it was resolved, "that the sheriff or any of his ministers, in execution of justice, may carry dagges, or hand-guns, or other weapons invasive or defensive, the same not being restrained by the general prohibition of the statute; for, if it were, *no justice would be administered.*"

By stronger reason such weapons may be carried for the purpose of suppressing riots, apprehending felons, or repelling invaders. It may here be observed, that the statute of Hen. VIII. was enacted for the prevention of mischief, that might be occasioned by the use of *little hand-guns*, which might be carried secretly and kill on a sudden; but guns of a proper length were not prohibited.

The *Case of Arms*, or BURTON's case, next presents itself to our examination: it is of very high authority, and so apposite to the object of our inquiry, that I shall make no apology for citing it in the very words of the learned reporter*: "Upon an assembly of *all the justices and*

* Poph. 121, 122.

"barons

“ *barons* at Serjeant’s Inn this Easter term (39 Eliz.), on Monday the
 “ 15th of April, this question was moved by *Anderson*, Chief Justice of
 “ the Common Bench; *Whether men may arm themselves to suppress riots*
 “ *and rebellions, or to resist enemies, and endeavour of themselves to suppress*
 “ *or resist such disturbers of the peace and quiet of the realm*; and, upon
 “ good deliberation, it was resolved by *them all*, that every justice of
 “ peace, sheriff, and other minister, or OTHER SUBJECT OF THE KING,
 “ where such accident happens, *may do it*; and, to fortify this their re-
 “ solution, they perused the statute of *Northampton*, 2 Edw. III. c. 3.
 “ which enacts, that *none be so hardy as to come before the king’s justices*
 “ *or other ministers of the king in the execution of their office with force and*
 “ *arms, nor to bring force in affray of the peace, nor to ride or go armed by*
 “ *night or day, EXCEPT the servants of the king in his presence, or the mi-*
 “ *nisters of the king in the execution of his precepts, or of their office, and*
 “ *those who are in their company assisting them, OR UPON CRY MADE FOR*
 “ *WEAPONS TO KEEP THE PEACE, and this in places where accidents hap-*
 “ *pen, upon the penalty in the same statute contained*; whereby it appeareth,
 “ that, upon cry made for weapons to keep the peace, EVERY MAN, where
 “ such accidents happen, for breaking the peace, *may by law arm him-*
 “ *self* against such evil-doers: but they took it to be *the more discrete*
 “ *way* for every one in such a case to be assistant to the justices, sheriffs,
 “ or other ministers of the king in the doing of it.”

Highly as the authority of Sir *John Popham* deserves to be respected,
 it is to be wished, that lord *Anderson* himself had given us a full account
 of his own opinion with that of the other judges; but he has left us no
 more than a short note * to the same effect with the preceding report.
 This case also is cited by *Hale* †, and the very words in *Popham* are
 transcribed by Sir *John Kelyng* in his report of *Lymerick’s* case ‡. I

* 2 And. 67.

† 1 H. P. C. 53.

‡ Kel. 76.

think

think it a strong proof of my *fourth* corollary, respecting the necessity of being *prepared* at all times to keep the peace; but, if a particle of doubt on that head can remain, it will be dissipated at once by the statute of Westm. 1. c. 9. by which, as it is cited by Crompton *, “*purveu* “*est, qe touz continualment soient prestez et apparaillez al maundement* “*et al somons des viscountes, et al crye del pais de fuire et darester* “*felons, qant mestier serra, auxibien dedeins fraunchises come dehors;* “*et ceux, qe ceo ne ferront, et de ceo soient atteintz, le roi prendra a* “*eux gravement;*” whence it should seem, that ALL SUBJECTS, who are not *continually prest*, or *ready*, for the orders of the sheriff on an alarm in the country, are exposed to the royal displeasure and to a severe penalty; and the word *prest* (which in modern times has been either ignorantly or intentionally confounded with the participle passive of the verb *to press*) is used for *prepared* by Chief Justice FINIEUX in a passage before cited: I am aware, however, that *communalment* is the usual reading; which will give a sense rather less forcible, “that “all men *generally* shall be ready and accoutred *at* the summons of the “sheriff;” but this amounts to the same thing; for how can a man be armed and apparelled *in an instant on a sudden alarm*, unless his weapons and accoutrements were previously at hand?

The opinions of the learned, which form the second branch of my proofs, can add little weight to *four* cases of such authority, as those of *Bedingfield*, *Drayton Bassett*, *St. John*, and the *Case of Arms*: indeed, these cases seem to have been the guides of *Lambard* and *Dalton*, *Hale* and *Hawkins*; who all agree, that “it is referred to the discretion of “the sheriff, under-sheriff, or other person authorized to raise the *posse*, “how many men they will assemble, and how they shall be armed, “weaponed, or otherwise furnished for the business †;” that “private

* 124. 2.

† Lamb. Eiren. 317. Dalt. c. 95.

“ persons

“ persons may arm themselves in order to suppress a riot, and that all,
 “ who attend the justices in order to quell a tumult, may take with
 “ them *such weapons as shall enable them to do it effectually**; that,
 “ lastly, in executing process or apprehending rioters, they may, by
 “ the common law, beat, wound, or kill, any of the opponents or in-
 “ surgents, who shall resist them†;” all which opinions are supported
 by solemn decisions, and are, in truth, the conclusions of natural reason
 from the simplest and surest premises.

The *fifth* and *sixth* propositions, which I consider as simple corollaries, are founded in part on *extrinsic* assumptions, drawn from history and experience: they may therefore, even by the rules of law, admit of proof from the authority of men, “ quibus in arte suâ credendum est;” and the following citation from Mr. WINDHAM’s elegant introduction to his *Plan of Discipline for the Norfolk Militia* will be thought as convincing as any passage in Fitzherbert or Brook. “ About the beginning of this century, says he, the troops in Europe were universally
 “ armed with firelocks; to which, much about the same time, the
 “ bayonet being added, pikes also were laid aside. When the use of fire-
 “ arms began to be generally established, the necessity of a great re-
 “ gularity and uniformity, in the manner of using those arms, became
 “ apparent: it was soon discovered, that those troops, which could
 “ make the briskest fire, and sustain it longest, had a great superiority
 “ over others less expert; and, likewise, that the efficacy and power of
 “ fire did not consist in random and scattering shots made without order, but
 “ in the fire of a body of men at once, and that properly timed and directed.
 “ It was therefore necessary to exercise the troops in loading quick, and
 “ firing together by the word of command; but, as the awkwardness,
 “ carelessness, and rashness, of young soldiers (if left to themselves)

* 1 Hawk. P. C. c. 65.

† Lamb. Eiren. 318. 1 Hale H. P. C. 495.

“ must

“ must occasion frequent accidents, and *the loss of many of their own*
 “ *party*, by the unskilful manner of using their fire-arms, especially in
 “ the hurry of an engagement, it became a matter of *indispensable ne-*
 “ *cessity* to teach soldiers an *uniform* method of performing every action
 “ that was to be done with the musket, that they might all do it in *the*
 “ *most expeditious and safest manner.*”

Should any doubt be raised as to the legality of *assembling* for this purpose, and should the words of Sir *Matthew Hale*, whom of all men I respect the most, be opposed to me, that, “ where people are assembled in great numbers armed with weapons offensive, or weapons of war, if they march thus armed in a body, if they have chosen commanders or officers, if they march *cum vexillis explicatis* or with drums or trumpets, and the like, it may be considerable, whether the greatness of their numbers, and their continuance together doing these acts, may not amount to *more guerrino arraiati*, or a levying of war *,” which may be construed an encroachment on the prerogative of the crown †; the answer is no less obvious than decisive, in the language of *BRACON*, that, *Voluntas et propositum distinguunt maleficia* ‡; that, the intent being good, the act cannot be bad; and that *Bedingfield's* case is an express authority for the legality of “ marching armed in a body *more guerrino arraiati*,” even for the purpose of executing a civil process, to which there is just expectation of violent resistance. So necessary, indeed, is *order* and *discipline* in directing the exertions of an armed assembly, that the statutes 3 and 4 Edw. VI. c. 5. and 1 Mary, c. 12. (which are no longer in force, but were the models of the well-known riot-act) expressly authorize the sheriffs, justices, mayors, and bailiffs, “ to raise *power* and *array them in manner of war* against the rioters:” and here I may again apply those sound maxims, to which

* 1 H. P. C. 131.

† 3 Inst. 9.

‡ L. 3. c. 14. § 13.

I before alluded : 1. That *the law requires no impossible things*; but it is impossible to join the power and suppress a riot effectually, without being at least moderately skilled in the use of fire-arms, and ready in the common evolutions. 2. That, *when the law permits or enjoins the performance of any act, all the means of performing it are also permitted or enjoined*; but the law doth permit and command *every subject of this realm* to arm himself and use his arms with effect for the suppression of tumults : the conclusion, in both forms of reasoning, follows too closely and too evidently to admit of a doubt.

That the four cases, on which I have relied, have never been shaken by any later decision, appears from the uniform recognition of their authority by the best modern writers : indeed, nothing less than an act of the legislature could justly over-rule unanimous and well-considered resolutions; but no act whatever has in any degree affected them; and the common law, which in general is the perfection of human wisdom, happily in this instance has stood like a rock amid the conflict of statutes rolling upon statutes.

Neither of the statutes of Westminster had any effect on the decision in *Bedingfield's case*; nor was that of *St. John* at all influenced by the subsequent prohibition of hand-guns; nor the *Case of Arms* by the statute of *Northampton*; and though the act of queen *Mary* was continued during the life of *Elizabeth*, yet Sir *Matthew Hale* observes, that, "the case of *Drayton Bassett* was not within that statute, nor depending on it*." In the same manner serjeant *Hawkins* remarks, in conformity to *Hale* and to reason, which will very seldom be found at variance, "that the stat. 1 Geo. I. c. 5. commonly called the riot-act, being wholly in the affirmative, cannot be thought to take away any part of the *authority* in the suppressing of a riot, which was before

* 1 H. P. C. 495.

" that

“ that time given either to officers, or *private persons*, by the common law or by statute *.”

Having shown the nature and extent of the *Posse Comitatum*, and proved that it is required by law to be equal in its exertion to a well-disciplined army, I have established the proposition, which I undertook to demonstrate †: “ That the common and statute laws of the realm, in force at this day, give the *civil* state in every county a power, which, if it were perfectly understood and continually prepared, would effectually quell any riot or insurrection, without assistance from the *military*, and even without the modern riot-act.”

One side, therefore, of the distressing alternative, to which I was reduced, concerning the *precariousness* of *English Freedom* ‡, is happily removed; but the other side remains, “ that our laws have been disgracefully neglected, and ought to be restored to full vigour and energy.”

To what fatal cause must we ascribe a neglect so shameful and so dangerous? I answer boldly, yet, I hope, without arrogance, since I use the very words of BLACKSTONE, “ to the vast acquisition of force arising from the riot-act and the annual expedience of a standing army ||;” which has induced a disposition, cherished by the indolence natural to man, and promoted by the excessive voluptuousness of the age, to look up solely for protection to the executive power and the soldiery; a disposition, which must instantly be shaken off, if any spark of virtue remain in our bosoms; for, although we are happy in a prince, who “ will never harbour a thought or adopt a persuasion in any the remotest degree detrimental to the liberty of *Britain* §,” yet in free

* 1 P. C. c. 65. † P. 690. ‡ P. 689. || 4 Comm. 434. § 1 Bl. Comm. 337.

states

states a military power must ever be an object of jealousy; and, since our excellent constitution will be claimed by our posterity as their best inheritance, we must act with a provident care, lest, two centuries hence, the fable of the horse should be verified in our descendants, who may be in need of protection against their protectors, and be forced to carry *harness*, notwithstanding the repeal of the statute of *Winchester*.

For the history of the riot-act, so laboured and so ineffectual, I must refer my reader to the incomparable author, whom I so frequently cite, the commentator on the laws of *England*; who expresses his jealousy and disapprobation of it with no less delicacy than wisdom*: in respect to the number of capital felonies created by it, which *Blackstone* seems highly to have disapproved, I shall say nothing, as it is not my present subject; but I may, with all due reverence for the legislature in the first year of *GEORGE* the First, observe, that the act was a bad copy of a bad model, the statute of *Mary*; that there seems to have been no occasion to make it perpetual, much less to enlarge it; that it is in some parts liable to dangerous misinterpretation; that it has been found wholly inadequate to the end proposed by it; and that the third clause of it was in great measure unnecessary, as it only affirms “our ancient law, which had pretty well guarded against any violent breach of the peace†.” Confirmatory statutes are always attended with the danger of superseding the use, and obliterating the remembrance, of the common law, which they confirm, and which the wisdom of ages had before sufficiently established.

As to the best mode of *restoring our laws to their full vigour and energy*, and of providing for our future defence, I shall certainly submit it to the discretion of my countrymen who are bound by those

* 4 Comm. 143.

† 4 Bl. Comm. 147.

laws; and shall only suggest to them the following plan; after premising, in the words of serjeant *Hawkins*, “ that, although *private persons may arm themselves* in order to suppress a riot, and may consequently *use arms* in the suppressing of it, if there be a necessity for their so doing; yet it seems to be extremely hazardous for private persons to proceed to those extremities in *common* cases, lest, under the pretence of keeping the peace, they cause a more enormous breach of it; and, therefore, such violent methods seem only *proper* against SUCH RIOTS AS SAVOUR OF REBELLION, for the suppressing of which no remedies can be too severe*.

THE PLAN.

I.

Let all such persons in every county of ENGLAND as are included in the *power* of that county, and *are of ability to provide themselves with arms*, and pay for learning the use of them, be furnished each with his *musket* and *bayonet*, and their necessary appendages.

II.

Let several *companies* be formed, in every county, of sixty such men or more, voluntarily associated for the sole purpose of joining the power, when legally summoned, and, with that view, of learning the proper use of their weapons, street-firing, and the various evolutions necessary in action.

III.

Let the companies be taught, in the most private and orderly manner, for two or three hours early every morning, until they are competently skilled in the use of their arms: let them not, unnecessarily, march

* 1 Hawk. P. C. c. 65.

through.

through streets or highroads, nor make any the least *military* parade, but consider themselves entirely as part of the *civil* state.

IV.

Let each member of a company, when he has learned the use of his arms, keep them for the defence of his house and person, and be *ready* to join his company in using them for the suppression of riots, whenever the sheriff, under-sheriff, or peace officer shall raise the power, or there shall be *a cry made for weapons to keep the peace*.

V.

Let the *caution*, prefixed to this plan, be diligently observed, and the law, contained in the preceding citations, be held ever sacred: nor let any *private* person presume to raise the power of the county *, which is the province of the sheriff, under-sheriff or magistrate; although *a cry for weapons to keep the peace* may be made in cases of extreme necessity, and in them only, by *private persons*.

VI.

If any mark of distinction in dress shall be thought expedient, that the several companies may know each other, in the forcible suppression of a riot, let such a regulation be severally referred, with any other rules that may be necessary, to a committee chosen out of each company.

The great advantages of such associations are so apparent, that I shall forbear at present to expatiate on them; but shall be satisfied with applying to them what PULTON says of the old tilts and jousts, "that the cause, beginning, and end thereof do tend to the laudable exercise of true valour and manhood, and to the encouragement and enabling of the actors therein to defend the realm and the peace thereof†;" and

* 1 Hale, H. P. C. 601.

† De Pace, 25. b.

with observing, in the words of the stat. 33 Hen. VIII. c. 6, that the musket may now be made, what the long bow was formerly, "the surety, safeguard, and continual defence, of this realm of *England*, "and an inestimable dread and terror to the enemies of the same."

Objections will certainly be raised; for who can propose a measure, however salutary, to which no man will object? I expect them, however, chiefly from those, whose indolence may induce them rather to seek protection from a power able to crush them, than to protect themselves by joining a power provided by free and equal laws; or from those, who, as MILTON says, "have betaken themselves to state-affairs "with souls so unprincipled in virtue and true generous breeding, that "flattery, and court-shifts, and tyrannous aphorisms, appear to them "the highest points of wisdom." To such men it will be sufficient to give this general answer; that, as there is no necessity of applying either to the executive, or to the legislative, power for permission to obey the laws, we are not to debate on vague notions of expedience, groundless jealousies, or imaginary consequences: the sole question is, "whether the doctrine expounded in these pages *be law*;" if it be, there is no room for deliberation, since it is a maxim, that *no man must think himself wiser than the law*, which is the gathered wisdom of many ages; and so favourable is the *common law* of ENGLAND to the rights of our species, which it is unhappily become the fashion to deride and vilify, that, if any man will broach a position in favour of genuine, rational, manly freedom, I will engage to supply him with abundant authorities in support of it.

I persuade myself, that infinite good must result from the general adoption of my plan; and that no possible evil can be mixed with it, as long as the cautions and restrictions before suggested shall be duly observed, and our excellent constitution be kept in its just balance at that
nice.

nice point, which is equally removed from the pernicious extremes of republican madness, aristocratical pride, and monarchical folly; nor have I any scruple to confess, that, as every soldier in ENGLAND is at the same time a citizen, I wish to see every citizen able at least, for the preservation of publick peace, to act as a soldier: when that shall be the case, the LIBERTY OF BRITAIN will ever be unassailed; for this plain reason—it will be unassailable.

The security, and consequently the happiness, of a free people do not consist in their belief, however firm, that the executive power will not attempt to invade their just rights, but in their consciousness that any such attempt would be wholly ineffectual.

SPEECH

SPEECH
TO
THE ASSEMBLED INHABITANTS OF
THE COUNTIES OF
MIDDLESEX AND SURRY,
THE CITIES OF
LONDON AND WESTMINSTER,
AND THE BOROUGH OF
SOUTHWARK.

XXVIII MAY, M.DCC.LXXXII.

ADVERTISEMENT.

HAVING been informed, that parts of my Speech on the 28th of May at the London Tavern were thought obscure, yet important, I have endeavoured to recollect what I then took the liberty to say, and have consented to let the argument go abroad in its rude and unpolished state. What offence this publication may give, either in parts or in the whole, is the last and least of my cares: my first and greatest is, to speak on all occasions what I conceive to be just and true.

A
S P E E C H

ON
THE REFORMATION OF PARLIAMENT.

MY LORD MAYOR,

SO far am I from rising to intimate the slightest shade of dissent from this respectable and unanimous assembly, or the minutest disapprobation of the two resolutions proposed, that I despair of finding words sufficiently strong to express my joy and triumph at the perfect harmony, with which the first of them has already passed, and to which the second will, I trust, be thought equally entitled: but, on the last reading of the proposition now before you, it struck me, that, although it was in *substance* unexceptionable, yet it might easily be improved in *form* by the insertion of two or three words referring to the preceding resolution, and thus be rendered more conducive to our great object of generally declaring our concurrent sense, and avoiding any chance of disunion upon specifick points. Every proposition, intended to meet with universal concurrence, ought to have three distinguishing properties; it should be just, simple, comprehensive: without justice, it will be rejected by the wise and good; without simplicity, it will involve complex matter, on which the wisest and the best may naturally differ; and without comprehensiveness, it will never answer any purpose of consequence

consequence and extent. The first resolution, "that petitions ought to be prepared for a more complete representation of the people," has all of these properties in an eminent degree: it is so just, that, if this meeting had been ten times as large, there would not have been one dissentient voice on that ground; so simple, that it affords no scope or subject for cavil; so comprehensive, that, when the house of commons have the petitions before them, it will give room for every particular plan, which the ingenuity of any member, duly tempered by wisdom, yet actuated by true patriotism, can suggest.

Ought not the *second* proposition, "that the *sense of the people* should be taken this summer in order to prepare their *several* petitions," to be somewhat restrained in the generality of the expression? It is just, but rather *too* comprehensive: *the sense of the people* is a phrase of measureless compass, and may include their several opinions, however specifick, however discordant. This is the very evil, which we are anxious to prevent; since we all agree, that no particular mode of reformation should be prescribed to the house, lest they should reject, for no other reason, some good plan, which, if left to the operation of their own minds, they may probably adopt. Might not the sentence be thus corrected, "that the sense of the people should be taken *on the preceding resolution?*" But this I offer as a mere suggestion to wiser heads, and will not trouble the assembly by shaping it into a motion: indeed, if both resolutions be taken together, and it be understood, that we mean to recommend petitions on the *general* ground, in order to shun that fatal rock, *diversity of sentiment on particulars*, I desire no more, and am very little solicitous about accuracy of expression; hoping at the same time, although the *five* circles here assembled have no right or pretension to take the lead in the nation, yet that the other counties, districts, and towns in *Great Britain* will approve our idea, and not disdain to follow our example: in that event I smile at the thought
of

of a miscarriage, and am confident, that, with concurrence, perseverance, and moderation, the people of *England* must prevail in a claim so essential to their liberty, and to the permanence of an administration, who profess to govern with their confidence.

Here I should regularly cease; especially, as I now labour under the pressure of the epidemical complaint, which alone can have prevented this meeting from being as numerous as it is respectable: it could not prevent my attendance, for, in health or in sickness, I am devoted to your service; and I shall never forget the words of an old *Roman*, *LIGARIUS*; who, when the liberties of his country were in imminent danger, and when a real friend to those liberties was condoling with him on his illness at so critical a time, raised himself on his couch, seized the hand of his friend, and said, *If you have any business worthy of yourselves, I am well.*

It was not in truth my design to have spoken at all this evening; but, since I have risen to explain a sudden thought, I will avail myself of your favourable attention, and hazard a few words upon the *general* question itself: on the smallest intimation of your wishes, I will be silent. Numbers will have patience to hear, who have not time to read; besides, that it is always easier to speak than to write; and, as to myself, a very particular and urgent occasion, which calls me for some months from *England*, will deprive me of another opportunity to communicate my sentiments in either form, until the momentous object before us shall be made certainly attainable through the concord, or for ever lost and irrecoverable through the disagreement, of the nation.

The only *specious* argument, that I have anywhere heard, against a change in the parliamentary representation of the people, is, that “a *constitution*, which has stood for ages, ought not to be altered.”

This

This objection appears on a superficial view so plausible, and applies itself so winningly to the hearts of *Englishmen*, who have an honest prejudice for their established system, without having in general very distinct ideas of it, that a detection of the *sophism*, for such I engage to prove it, becomes absolutely necessary for the promotion of your glorious enterprise.

I will risk your impatience; for, though I am aware, that allusions to history and interpretations of old statutes are not very proper in addresses to popular assemblies; yet, when popular assemblies take upon them, as they justly may, to act and resolve upon constitutional points, they are bound to seek or to receive information, lest their actions should be rash and their resolutions ill-founded. A power exerted through passion or caprice, without a deep knowledge of the business in hand, and a fair application of the intellectual faculties, is a *tyrannical* power, whether it be regal, aristocratical, or popular; and the prevalence of any such power, by the overbearing strength of king, nobles, or people, would form an immediate *tyranny*, and in a moment subvert the constitution.

That constitution, which, I persuade myself, will not be subverted, consists of form and spirit, of body (if I may so express myself), and of soul: but, in a course of years, the form is apt to deviate so widely from the spirit, that it becomes expedient almost every century to restore its genuine purity and loveliness. The objection, which I undertake to remove, is sophistical, either by design or through ignorance; for the proposition is true in one sense of the word *constitution*, and false in the other; and the sense, in which it is true, is inapplicable to the question. It is true, that the *spirit* of the constitution ought not to be changed: it is false, that the *form* ought not to be corrected; and I will now demonstrate, “ that the spirit of our constitution requires a repre-
“ fentation

“sensation of the people, nearly equal and nearly universal.” Such as cannot or will not follow me in the premises, both can and will (or I greatly deceive myself) bear away the conclusion in their memory; and it is of higher importance than they may imagine.

There has been a continued war in the constitution of *England* between two jarring principles; the evil principle of the feudal system with his dark auxiliaries, ignorance and false philosophy; and the good principle of increasing commerce, with her liberal allies, true learning and sound reason. The first is the poisoned source of all the abominations, which history too faithfully records: it has blemished and polluted, wherever it has touched, the fair form of our constitution, and for ages even contaminated the spirit. While any dregs of this baneful system remain, you cannot justly boast of general freedom: it was a system of niggardly and partial freedom, enjoyed by great barons only and many aced men, who were perpetually insulting and giving check to the king, while they racked and harrowed the people. Narrow and base as it was, and confined exclusively to landed property, it admitted the *lowest freeholders* to the due enjoyment of that inestimable right, without which it is a banter to call a man *free*; the right of voting in the choice of deputies to assist in making those laws, which may affect not his property only, but his life, and, what is dearer, his liberty; and which are not laws, but tyrannous ordinances, if imposed on him without his suffrage given in person or by deputation. This I conceive to have been the right of every freeholder, even by the feudal polity, from the earliest time; and the statute of HENRY IV. I believe to have been merely declaratory: an act which passed in the *seventh* year of that prince, near four hundred years ago, ordains, that, “*all* they, who are “present at the county court, as well suitors *duly summoned* for the same “cause, *as others*, shall proceed to the election of their knights for the “parliament.” *All suitors*, you see, had the right; and *all freeholders* were

were *suitors* in the court, however low the value of their freeholds. Observe all along, that one pound in those days was equal to ten at least in the present time. Here then is a plain declaration, that minuteness of *real* property created no harsh suspicion of a dependent mind; for a harsh suspicion it is, and, by proving too much, proves nothing.

What caused the absurd, yet fatal, distinction between property, personal and real? The feudal principle. What created another odious distinction between *free* and *base* holdings, and thus excluded copyholds of any value? The feudal principle. What introduced an order of men, called *villains*, transferable, like cattle, with the land which they stocked? The feudal principle. What excludes the holders of beneficial leases? The feudal principle. What made personalty, in those times, of little or no estimation? The feudal principle. What raised the silly notion, that the property, not the person, of the subject was to be represented? The feudal principle. What prevented the large provision in the act of *Henry IV.* by which *all freeholders* were declared electors, from being extended to *all* holders of *property*, however denominated, however inconsiderable? The same infernal principle, which then subdued and stifled the genuine equalising spirit of our constitution. Now, if we find that this demon was himself in process of time subdued, as he certainly was by the extension of commerce under *Elizabeth*, and the enlarged conceptions which extended commerce always produces, by the revival of learning, which dispelled the darkness of *Gothick* ignorance, and by the great transactions of the last century, when the true theory and genuine principles of freedom were unfolded and illustrated, we shall not hesitate to pronounce, that, by the *spirit* of our constitution, all *Englishmen*, having property of any kind or quantity, are entitled to votes in chusing parliamentary delegates. The *form* soon received a cruel blemish; for, in the *eighth* of *HENRY VI.* the property of suitors
qualified

qualified to vote, was restrained to “*forty shillings a year above all “charges,”* that is, to twenty pounds at least by the present value of money. I agree with those, who consider this act as basely aristocratical, as a wicked invasion of clear popular rights, and therefore in a high degree unconstitutional: it is also a disgraceful confession of legislative weakness; for the evil, pretended to be remedied by it, was, that the county elections were *tumultuary*. What! could not the wisdom of the legislature suggest a mode of preventing tumult, if the laws already subsisting had been insufficient for that purpose, without shaking the obligation of all future laws, by narrowing the circle of those, who, being affected by them, ought by natural equity to assist in framing them? Ridiculous and indefensible!

In the *twelfth* of CHARLES II. the mighty fabrick of the feudal system was shaken from its basis; but, though its ramparts were overset, its connexions and covered ways destroyed, and its very foundations convulsed, yet the ruins of it have been found replete with mischief, and the mischief operates, even while I speak.

At the Revolution, indeed, the good spirit of the constitution was called forth, and its fair principles expanded: it is only since that auspicious event, that, although we may laugh, when lawyers call their vast assemblage of sense and subtilty *the perfection of human wisdom*, yet we shall deride no man, who asserts the constitution of *England* to be in theory the most perfect of human systems—in theory, not in practice; for, although you are clearly entitled to all the advantages, which the *principles* of the constitution give you, while you claim those advantages by cool and decent petition, yet, either from some unaccountable narrowness in the managers of the Revolution, or from the novelty and difficulty of their situation, they left their noble work so unfinished, and the feudal poison so little exterminated, that, to use

the words of your favourite poet, "they scotched the snake, not killed it." Who could have imagined, that, in the *eighteenth* of GEORGE II. the statute of *Henry VI.* would have been adopted and almost transcribed? Who could have dreamed, that, in the *thirty-first* of the same king, the last act would have been recited and approved, with a declaration added, that no tenant by copy of court roll should vote at an election for knights of the shire under penalty of fifty pounds? It was the accursed feudal principle, which suggested these laws, when the fairest opportunity presented itself of renovating the constitution. Another gale has now sprung up; and, unless you catch it while it blows, it will be gone for ever.

I have proved, unless I delude myself, "that the spirit of our constitution requires a representation of the people nearly equal and nearly universal." Carry this proposition home with you, and keep it as an answer to those, who exclaim "that the constitution ought not to be changed." I said *nearly* universal; for I admit, that our constitution, both in form and spirit, requires *some* property in electors, either real or personal, in possession or in action; but I consider a *fair trade* or *profession* as *valuable property*, and an *Englishman*, who can support himself by honest industry, though in a low station, has often a more independent mind than the prodigal owner of a large encumbered estate. When *Prynne* speaks of *every inhabitant and commoner*, to whom he supposes that the right of voting originally belonged, I cannot persuade myself, that he meant to include such, as, having nothing at all, and being unable or unwilling to gain any thing by art or labour, were supported by alms.

If modern authorities be demanded in aid of my opinions, I shall only mention the great judge, Sir *William Blackstone*, and I mention him the more willingly, because he never professed democratical sentiments, and,

and, though we admire him as the systematical arranger of our laws, yet we may fairly doubt the popularity of his political notions: nevertheless, he openly allows in his Commentary, "that the spirit of our constitution is in favour of a more complete representation of the people." This too is allowed by the very man, who, in another tract, intimates an opinion, "that the value of freeholds themselves should be greatly advanced above what is now required by law to give the proprietor a voice in county elections." I told you, that all reasoning from the statute of *Henry VI.* proved too much, and, consequently, nothing; for, who now would bear the idea of disqualifying those electors of *Surrey* and *Middlesex*, whose freeholds were not of the annual value of twenty pounds?

I hear a murmur among you, and perceive other marks of impatience. Indulge me a moment, and I will descend; but let me not be misapprehended. I do not propose to conclude with a specifick motion: it is my deliberate opinion, confirmed by my observations on the event of your associations *to reduce the influence of the Crown*, that your petitions and resolutions must be *very general*. In my own mind I go along with you to the full length of your wishes. If the present system of representation be justly compared to a tree rotten at the heart, I wish to see removed every particle of its rottenness, that a microscopick eye could discern. I deride many of the fashionable doctrines: that of *virtual* representation I hold to be *actual* folly; as childish, as if they were to talk of *negative* representation, and to contend, that it involved any *positive* idea. Substitute the word *delegation* or *deputation*, instead of representation, and you will instantly see the absurdity of the conceit. Does a man, who is *virtually*, not *actually*, represented, delegate or depute any person to make those laws, which may affect his property, his freedom, and his life? None; for he has no suffrage. How then is he represented according to the principles of our constitution? As well

well might a *Roman* tyrant have urged, that all his vassals were represented in his person: he was augur and high priest; the religious state was, therefore, represented by him: he was tribune of the people; the popular part of the nation were, therefore, represented: he was consul, dictator, master of the horse, every thing he pleased; the civil and military states were, therefore, concentrated in him; the next deduction would have been, that the slaves of his empire were free men. There is no end of absurdities deducible from so idle a play upon words.

That there may be an end of my address to you, which has been too long for the place and occasion, but too short for the subject, I resume my seat with a full conviction, that, if united, and dependent on Yourself alone, you must succeed; if disunited, or too confident in others, you must fail. Be persuaded also, that the people of *England* can only expect to be the happiest and most glorious, while they are the freest, and can only become the freest, when they shall be the most virtuous, and most enlightened, of nations.

TO * * * *

London, May 14, 1782.

SIR,

I TAKE the liberty of submitting to your serious attention the *Plan of National Defence* lately suggested by government, compared with a *different* plan now approved, though subject to revision, by a *Company of Loyal Englishmen*, of which I have the honour to be One. You will instantly see, that the *first* plan was nobly conceived by some great mind, and intended for the noblest purposes; but that, in the *detail*, it appears to be *innovating*, harsh, unconstitutional, and big with alarming consequences; too *expensive* for the treasury, who have no treasures to lavish, and too *distrustful* of a generous and spirited people, who would *vigorously support* a government that *sincerely confided* in them. The *second* plan you will find (and we pledge our honours to prove) *already sanctioned*, and even *required*, by Law, agreeable to the Constitution, and calculated to preserve it; not too expensive to *real* patriots, who will hardly be niggards at such a moment as this; and not at all dangerous to so wise and just a government as the present. If nothing can raise a manly spirit, and excite a liberal emulation, in *English* gentlemen, yeomen, and traders, but the actual descent of *three united armies* on our coasts, they will *then* vainly solicit that protection for their houses and families, which they *now* have in their own hands, on a glorious invitation from the First and Best of Magistrates. I am, &c.

A VOLUNTEER.

P. S. Give me leave to observe, that the Lords-Lieutenants, as such, have no more to do with this great business than the bench of Bishops.

HEADS

HEADS OF A PLAN

For raising Corps in several principal Towns in Great Britain, inclosed in a Letter from the EARL of SHELBURNE to the CHIEF MAGISTRATES of several Cities and Towns.

1st. THE principal towns in Great Britain to furnish one or more battalions each, or a certain number of companies each, in proportion to their size and number of inhabitants.

2d. The officers to be appointed from among the gentlemen of the neighbourhood, or the inhabitants of the said towns, either by commission from his Majesty, or from the Lord-Lieutenant of the County, upon the recommendation of the Chief Magistrate of the town in which the Corps are raised.

3d. They are to be possessed of some certain estate in land or money, in proportion to their rank.

4th. An Adjutant or Town-Major in each town to be appointed by his Majesty.

5th. A proper number of Serjeants and Corporals from the army to be appointed for the Corps in each town, in proportion to their numbers.

6th. The said Serjeants and Corporals, as well as the Adjutant or Town-Major, to be in the Government pay.

7th. The men to exercise frequently, either in battalions, or by companies, on Sundays, and on Holidays, and also after their work is over in the evenings.

8th.

8th. Arms, accoutrements, and ammunition, to be furnished at the expence of Government, if required.

9th. Proper magazines, or storehouses, to be chosen or erected in each town, for keeping the said arms, &c.

10th. The arms and accoutrements to be delivered out at times of exercise only, and to be returned into the storehouses as soon as the exercise is finished.

11th. The Adjutant or Town-Major to be always present at exercise, and to see that the men afterwards march regularly, and lodge their arms in the storehouses.

12th. Proper penalties to be inflicted on such as absent themselves from exercises, as also for disobedience of orders, insolence to their officers, and other disorderly behaviour.

13th. The above Corps not to be obliged, on any account, or by any authority whatever, to move from their respective towns, except in times of actual invasion or rebellion.

14th. His Majesty shall then have power to order the said corps to march to any part of Great Britain, as his services may require.

15th. They are, on such occasions, to act either separately, or in conjunction with his Majesty's regular forces, and be under the command of such General Officers as his Majesty shall think proper to appoint.

16th. Both officers and men to receive full pay as his Majesty's other regiments of foot from the day of their march, and as long as they shall continue on service out of their towns.

17th.

17th. They are to be subject to military discipline, in the same manner as his Majesty's regular forces, during the said time of their being called out, and receiving government pay.

18th. All officers who should be disabled in actual service to be entitled to half-pay, and all non-commissioned officers and private men, disabled, to receive the benefit of Chelsea Hospital.

19th. The widows of officers killed in the service to have a pension for life.

20th. The time of service to be named.

SKETCH OF A PLAN

For raising a Constitutional Force in the Towns, Cities, and Counties of Great Britain; being an Answer, article by article, to the Plan annexed.

1st. AGREED, *with this addition*—And other Battalions, or Companies, to be also *voluntarily* formed out of *the Hundreds, Tythings, and Hamlets, of each county*, in proportion to its extent and populousness.

2d. The *Officers*, and, in some companies, the *men*, to enrol themselves, from among the *Gentry, Yeomanry, and Substantial Householders*, and the Officers to be commissioned respectively by *the High Sheriff, and Chief Magistrate, of each county and town*.

3d. The *ranks* of the Officers to be proportioned to their *contributions* to a fund raised for purposes mentioned in subsequent articles.

4th.

4th. An Adjutant or Town-Major in each *county* or *town*, to be *electd by the Officers*.

5th. *Agreed*, for the purpose of *drilling* the men, until a certain number of the *volunteers* can be qualified to act as Serjeants and Corporals.

6th. The said Drill-Serjeants and Corporals *from the army* to *continue* in the pay of government; but the Adjutants and Town-Majors to be paid, *if they desire pay*, out of a *fund* voluntarily raised for that purpose in the several counties and towns.

7th. *Agreed*.

8th. Arms, Accoutrements, and Ammunition, to be furnished at the expence of *the counties and towns, if required*; or of the *officers*, if they are generously disposed.

9th. The said arms, &c. to be kept by each man, in *his own house*, for his *legal* protection.

10th. *Rejected*.

11th. The *officers* to take care, after exercise, that the men march regularly, and return home with their arms.

12th. *Agreed, with this addition*—A set of *Laws*, or *Articles*, to be drawn up by the Officers, and *subscribed* or *openly consented to* by the men, *after a distinct reading and explanation of each article*. “*Consensus facit Legem.*”

13th. *Agreed*, the words *counties* or being inserted after the word *respective*.

14th. The *high sheriff* of each county, and *chief magistrate* of each town, shall then (on due notice to government) have power to order the said corps to march to any part of *Great Britain*, as the *publick* service may require.

15th. Agreed, in case of *actual invasion*; but in *riots* the *magistrates* to call out their respective *corps*: and, as to *rebellion*, or *civil war*, (which God avert!) no specifick provisions can be made for so dreadful and improbable an event.

16th. The counties and towns to pay the men *who require it*; but such, as enroll themselves *without pay*, to wear some mark of distinction, and the officers to serve at *their own* expense.

17th. Agreed, in case of *actual invasion* only; but the words, *and receiving government pay*, to be omitted.

18th. Officers disabled in actual service to be rewarded by a *new order* (as a star and ribband, *orange coloured* or mixed), or by an *eulogium* *proclaimed* and *recorded* by the *sheriffs* of their several counties, or the *chief magistrates* of their corporate towns; and the men to receive a comfortable subsistence at their own homes, with a fixed *annuity for life* out of the voluntary fund.

19th. The *widows* and *children* of Officers and Men killed in the service *against invaders* to have also *pensions for life*.

20th. The companies called out as above to be discharged *ipso facto*, as soon as the *invaders* are *repelled*, or the *particular service terminated*.

A Company of LOYAL ENGLISH GENTLEMEN.

FINIS.



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*3 o (single leaf) to follow page 466.

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